

# Environmental Assessment for the Skull Valley Land Exchange



SALT LAKE FIELD OFFICE



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### **BLM Mission**

It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

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**United States Department of the Interior  
Bureau of Land Management**

## **Environmental Assessment Skull Valley Land Exchange**

***Location:*** Skull Valley, Tooele County, Utah

***Applicant/Address:*** AJR, L.C., a Utah limited liability company; CFR-CR, L.C., a Utah limited liability company; VAR, L.C., a Utah limited liability company; and Skull Valley Company, Ltd., a Utah limited partnership

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# TABLE OF CONTENTS

1.0 —PURPOSE AND NEED .....	1-1
1.1 INTRODUCTION .....	1-1
1.2 BACKGROUND.....	1-1
1.3 NEED FOR THE PROPOSED ACTION.....	1-1
1.4 PURPOSE(S) OF THE PROPOSED ACTION .....	1-2
1.4.1 BLM Purpose.....	1-2
1.4.2 Non-Federal Parties Purpose.....	1-2
1.5 CONFORMANCE WITH BLM LAND USE PLAN .....	1-3
1.5.1 Proposed Action.....	1-3
1.5.2 No Action Alternative.....	1-3
1.6 RELATIONSHIP TO STATUTES, REGULATIONS, AND OTHER PLANS .....	1-4
1.7 DECISION TO BE MADE: .....	1-4
1.8 IDENTIFICATION OF ISSUES.....	1-4
1.8.1 Cultural Resources .....	1-5
1.8.2 Fuels and Fire Management.....	1-5
1.8.3 Invasive Species/Noxious Weeds .....	1-5
1.8.4 Livestock Grazing.....	1-5
1.8.5 Mineral Resources .....	1-5
1.8.6 Recreation .....	1-5
1.8.7 Special Status Animal Species (including Migratory Birds) .....	1-5
1.8.8 Special Status Plant Species (Pohl's Milkvetch) .....	1-5
1.8.9 Water Rights .....	1-6
1.8.10 Wildlife (excluding special status species) .....	1-6
1.8.11 Wilderness and Wilderness Characteristics .....	1-6
1.8.12 Wild Horse Herd Management Areas (HMAs) .....	1-6
1.9 ISSUES CONSIDERED BUT ELIMINATED FROM FURTHER ANALYSIS .....	1-6
1.10 SUMMARY .....	1-7
2.0 —DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION .....	2-1
2.1 INTRODUCTION .....	2-1
2.2 PROPOSED ACTION (WITH PRIORITIZED LIST OF PARCELS FOR ELIMINATION TO EQUALIZE VALUES OR AVOID IMPACTS ON RESOURCES).....	2-1
2.3 ALTERNATIVE B – NO ACTION (NO EXCHANGE) .....	2-5
2.4 ALTERNATIVES CONSIDERED, BUT ELIMINATED FROM FURTHER ANALYSIS .....	2-7
2.4.1 Purchase/Sale .....	2-7
3.0 —AFFECTED ENVIRONMENT .....	3-1
3.1 INTRODUCTION .....	3-1
3.2 GENERAL SETTING.....	3-1
3.3 POTENTIALLY AFFECTED RESOURCES/ISSUES .....	3-3
3.3.1 Cultural Resources .....	3-3
3.3.2 Fire and Fuels Management.....	3-8
3.3.3 Invasive Species/Noxious Weeds .....	3-9
3.3.4 Livestock Grazing.....	3-10
3.3.5 Mineral Resources .....	3-12
3.3.6 Recreation .....	3-14
3.3.7 Special Status Animal Species including Migratory Birds .....	3-16
3.3.8 Special Status Plants (Pohl's milkvetch) .....	3-17
3.3.9 Water Rights .....	3-18
3.3.10 Wildlife (excluding Special Status Species) .....	3-18
3.3.11 Wilderness and Wilderness Characteristics .....	3-19
3.3.12 Wild Horse Herd Management Areas .....	3-20

4.0 —ENVIRONMENTAL IMPACTS .....	4-1
4.1 INTRODUCTION .....	4-1
4.2 GENERAL ANALYSIS ASSUMPTIONS AND GUIDELINES .....	4-1
4.3 DIRECT AND INDIRECT IMPACTS .....	4-2
4.3.1 Proposed Action.....	4-2
4.3.2 Cultural Resources .....	4-2
4.3.3 Fire and Fuels Management.....	4-3
4.3.4 Invasive Species/Noxious Weeds .....	4-3
4.3.5 Livestock Grazing.....	4-3
4.3.6 Mineral Resources .....	4-4
4.3.7 Recreation .....	4-5
4.3.8 Special Status Animal Species including Migratory Birds .....	4-6
4.3.9 Special Status Plants (Pohl’s milkvetch) .....	4-7
4.3.10 Water Rights .....	4-7
4.3.11 Wildlife (excluding Special Status Species) .....	4-8
4.3.12 Wilderness and Wilderness Characteristics .....	4-9
4.3.13 Wild Horse Herd Management Areas .....	4-10
4.3.14 Alternative B – No Action .....	4-11
4.4 CUMULATIVE IMPACTS ANALYSIS .....	4-12
5.0 —CONSULTATION AND COORDINATION .....	5-1
5.1 INTRODUCTION .....	5-1
5.2 PERSONS, GROUPS, AND AGENCIES CONSULTED .....	5-1
5.3 SUMMARY OF PUBLIC PARTICIPATION .....	5-2
5.4 LIST OF PREPARERS.....	5-3
5.4.1 BLM.....	5-3
5.4.2 Non-BLM Preparers .....	5-3

## LIST OF TABLES

Table 2-1. RMP Decisions to be applied to Offered Parcels by BLM.....	2-3
Table 2-2. Current RMP Decisions for Selected Parcels .....	2-6
Table 3-1. Livestock Grazing Allotments.....	3-11
Table 3-2. Mineral Resources <sup>1</sup> .....	3-12
Table 3-3. Big Game Habitats.....	3-19
Table 4-1. Changes to BLM Grazing Ownership and Allocations .....	4-3
Table 4-2. Big Game Habitats.....	4-8
Table 5-1. List of Persons, Agencies and Organizations Consulted .....	5-1
Table 5-2. List of BLM Preparers.....	5-3
Table 5-3. List of Non-BLM Preparers.....	5-3
Table A-1. Federal Selected Lands .....	A-1
Table A-2. Non-Federal Offered Lands .....	A-2
Table B-1. Determination of Staff .....	B-1
Table B-2. Final Review .....	B-7
Table D-1. Description of Land .....	D-1
Table D-2. Interests to be Conveyed or Reserved.....	D-2
Table D-3. Existing Encumbrances .....	D-3
Table D-4. Parcels with Non-Federal Rights-of-Way.....	D-3
Table D-5. Parcels within Federal Grazing Allotments .....	D-4
Table D-6. Parcels Encumbered with Mining Claims .....	D-4

## LIST OF FIGURES

Figure 3-1. Terra, Utah .....	3-2
Figure 3-2. Pony Express National Historic Trail Sign .....	3-4
Figure 3-3. Remnants of Pony Express Station .....	3-5
Figure 3-4. Pet Cemetery .....	3-5
Figure 3-5. Pony Express Lookout Pass Station Camping Area.....	3-6
Figure 3-6. Pony Express Monument .....	3-6
Figure 3-7. Lincoln Highway.....	3-8
Figure 3-8. Vegetation Treatment on West Side of Onaqui Mountains.....	3-9
Figure 3-9. OHV Tracks .....	3-15

## APPENDICES

Appendix A—Legal Descriptions of Federal and Non-Federal Land to be Exchanged
Appendix B—Interdisciplinary Team Checklist
Appendix C—Prioritization of Parcels for Elimination to Equalize Values
Appendix D— Federal Lands and Interests Proposed for Exchange
Appendix E— State Historic Preservation Office Consultation and Cultural Resource Mitigation Plan
Appendix F— U.S. Fish and Wildlife Service Coordination
Appendix G— Notice of Exchange Proposal Mailing List

## LIST OF MAPS

Map 1. Exchange Parcels Base Map
Map 2. Livestock Grazing Allotments and Water Resources
Map 3. Greater Sage-Grouse Occupied Habitat
Map 4. Big Game Habitats and Cooperative Wildlife Management Unit
Map 5. Wild Horse Herd Management Areas

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## 1.0—PURPOSE AND NEED

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### 1.1 INTRODUCTION

This Environmental Assessment (EA) has been prepared to disclose and analyze the environmental consequences of the Skull Valley Land Exchange as proposed by AJR, L.C., a Utah limited liability company; CFR-CR, L.C., a Utah limited liability company; VAR, L.C., a Utah limited liability company; and Skull Valley Company, Ltd., a Utah limited partnership. The EA is a site-specific analysis of potential impacts that could result with the implementation of a proposed action or alternatives to the proposed action. The EA assists the BLM in planning for the proposed exchange, ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any “significant” impacts could result from the analyzed actions. “Significance” is defined by NEPA and is found in regulation 40 CFR 1508.27. An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a statement of “Finding of No Significant Impact” (FONSI). If, following the analysis in the EA, the decision maker determines that the proposed land exchange has the potential to cause “significant” impacts then an EIS would be prepared for the project. If not, a FONSI, will be signed and a Decision Record (DR) may be signed for the EA approving the selected alternative, whether the proposed action or another alternative. The DR documents the rationale for the selected alternative and the FONSI explains why implementation of the selected alternative would not result in “significant” environmental impacts (effects) beyond those already addressed in Pony Express Resource Management Plan of January 12, 1990.

### 1.2 BACKGROUND

The Skull Valley Land Exchange was proposed on February 2, 2006, by and between the Bureau of Land Management, Salt Lake Field Office (BLM) and Christopher F. Robinson, who represents AJR, L.L.C., a Utah limited liability company; CFR-CR, L.L.C., a Utah limited liability company; VAR, L.L.C., a Utah limited liability company; and Skull Valley Company, Ltd., a Utah limited partnership (collectively the “non-Federal parties”). Christopher F. Robinson represents the interests of all of the non-Federal parties on matters concerning the land exchange.

Under the exchange proposal, the United States would acquire the surface estate of up to 14,357.91 acres on 40 parcels of non-Federal land (offered lands), including all of the non-Federal parties’ interest in the mineral estate (See Appendix A for Legal Descriptions), and a water right in Slater Springs. In exchange, the United States would convey to the non-Federal parties the surface and the Federally-owned mineral estate of up to 13,959.12 acres on 35 parcels of Federal land selected by the non-Federal parties (selected lands). Several of the Federal and non-Federal parcels adjoin State- or County-maintained roads, and the exchange has been designed to utilize the roads as logical property boundaries (Map 1)

### 1.3 NEED FOR THE PROPOSED ACTION

The Federal and non-Federal lands proposed for exchange are located within and adjacent to Skull Valley, in Tooele County, Utah. Skull Valley’s proximity to Salt Lake and communities

along the Wasatch Front has made it a popular destination area for hunting, off-highway vehicle (OHV) use, hiking, camping, etc. The BLM and the non-Federal parties both have substantial acreage holdings in this area and the exchange is needed to consolidate ownership and simplify management and use of the lands for both parties.

## **1.4 PURPOSE(S) OF THE PROPOSED ACTION**

### **1.4.1 BLM Purpose**

The United States would benefit from the exchange by acquiring lands with important resources, including 1) three parcels totaling 598 acres within the Cedar Mountain Wilderness Area (WA); 2) a high potential historic site and recreation destination at Lookout Pass on the Pony Express National Historic Trail consisting of a Pony Express station and associated dog cemetery; 3) a net gain of 9,380 acres of land within the Cedar Mountain and Onaqui Mountain Wild Horse Herd Management Areas; 4) a net gain of mule deer (*Odocoileus hemionus*) and pronghorn (*Antilocapra americana*) crucial ranges and greater sage-grouse (*Centrocercus urophasianus*) occupied habitat; and 5) a water right at Slater Springs that is important to wildlife and the wild horse herds. Consolidating ownership of the Federal and non-Federal lands would provide much greater management efficiency for the BLM. Acquisition of the scattered non-Federal parcels, 19 of which are completely surrounded by Federal lands, would simplify the BLM's fire prevention efforts consisting of vegetative treatments designed to reduce fuel loads by protecting or improving the salt desert shrub vegetative communities in this part of the Great Basin.

Disposal of the Federal lands located on the west side of the small community of Terra would reduce the BLM's costs associated with fuel reduction projects designed to protect the community from wildfire and management of unregulated OHV activity, both of which are prevalent in this area.

### **1.4.2 Non-Federal Parties Purpose**

The non-Federal parties would benefit from the exchange due to the consolidation of their ownership. Collectively, they own over 90 percent of the privately-owned lands in Skull Valley and run a large cattle operation that include the use of several Federal grazing allotments. Their scattered parcels are indistinguishable from the surrounding Federal lands and as such have been susceptible to trespass use and damage by the recreating public. Unrestricted OHV use and shooting has resulted in damage to their livestock and water developments over the years, in addition to reduced productivity of the rangeland itself. Consolidating their ownership would allow for better management of their livestock operations and greatly reduce their expenses associated with vandalism and loss of livestock resulting from use of their lands by the recreating public.

## 1.5 CONFORMANCE WITH BLM LAND USE PLAN

### 1.5.1 Proposed Action

The proposed action is in conformance with the Pony Express Resource Management Plan (RMP) approved January 12, 1990 (as amended). Lands Program Decision 3 on pages 3 and 4 of the planning document states:

*“The remaining public lands (1,581,962 acres) in the Pony Express Resource Area (including revoked withdrawals returned to BLM administration) are available for exchange. In order to be considered, exchanges of public land in the Pony Express Resource Area must accomplish one or more of the following criteria:*

- (1) Increase public ownership within those areas of public land which are not available for disposal or any other transfer from Federal ownership and BLM management (see Table 4 and Figure 2).*
- (2) Result in a net gain of significant resource values on public land such as important wildlife habitat, cultural sites, riparian zones, live water, and threatened and endangered species.*
- (3) Improve the accessibility of the public lands.*
- (4) Contribute toward more efficient management of public lands through consolidation of ownership.*
- (5) Remove from Federal ownership public lands which have lost all significant public values due to on-site or adjacent uses.*

*Land exchanges will continue to be analyzed on a case-by-case basis. Resource values may be incorporated into the fair market value of the land.*

*Rationale: Exchanges would allow the readjustment of ownership patterns without a net loss of Federal ownership or natural resource values if they are accomplished under the criteria listed above.*

*Current BLM policy favors large exchanges that result in a benefit to the public.”*

### 1.5.2 No Action Alternative

This alternative would be to not exchange the lands identified under the proposed action and to retain them under their current ownership and uses. The public land retained in Federal ownership would continue to be managed under the provisions of the Pony Express RMP and would, therefore, be consistent with the land use plan. Non-Federal lands would likely continue to be managed as they presently are.

## 1.6 RELATIONSHIP TO STATUTES, REGULATIONS, AND OTHER PLANS

The Proposed Action is consistent with the requirements of Title II, Section 206 of the Federal Land Policy and Management Act of October 21, 1976 (FLPMA) (90 Stat. 2776 43 U.S.C. 1761) and the Federal Land Exchange Facilitation Act of August 20, 1988 (FLEFA, 102 Stat. 1087). Implementing regulations are found at title 43 Code of Federal regulations (CFR) 2200.

Section 206 of the FLPMA as amended, states:

*“A tract of public land or interests therein may be disposed of by exchange by the Secretary of the Interior (clarification added) under this Act. Provided, that when considering public interest the Secretary concerned shall give full consideration to better Federal land management and the needs of State and local people, including needs for lands for the economy, community expansion, recreation areas, food, fiber, minerals, and fish and wildlife and the Secretary concerned finds that the values and the objectives which Federal lands or interests to be conveyed may serve if retained in Federal ownership are not more than the values of the non-Federal lands or interests and the public objectives they could serve if acquired.”*

The Proposed Action is consistent with federal, state and local laws, regulations, and plans to the maximum extent possible. The Pony Express RMP including the lands section was determined to be consistent with plans, programs and policies of the United States (US) Forest Service (FS), Bureau of Indian Affairs (BIA), and Tooele County. It was also reviewed by the State of Utah and was determine to be consistent with an officially approved resource related plans or policies of the State, as indicated in Governor Norman H. Bangerter’s letter to James M. Parker, BLM’ Utah State Director, dated November 18, 1988.

Required elements of specific laws have been considered by the Interdisciplinary (ID) Team as documented in the ID Team Analysis Record Checklist in Appendix B.

## 1.7 DECISION TO BE MADE:

Upon completion of the environmental analysis and appropriate documentation, appraisals, and all other supporting studies and requirements, the decision to be made by the authorized officer is whether the proposed Skull Valley Land Exchange is in the public interest and in compliance with applicable laws and regulations so as to approve or not approve the exchange proposal.

## 1.8 IDENTIFICATION OF ISSUES

The proposed exchange was posted on the Utah BLM Environmental Notification Bulletin Board (ENBB) on September 29, 2009. Notice of the proposed exchange was also published in the Tooele Transcript-Bulletin four separate times on August 27, 2009; September 3, 2009; September 10, 2009; and September 17, 2009. A public scoping meeting was conducted at the Tooele County Building in Tooele on November 14, 2011.

Public comments made in response to the notices and the public scoping meeting was considered during the identification of issues and alternatives addressed in this EA. The ID Team Checklist (Appendix B) details all issues and resources considered by the ID Team. It also contains a clear rationale for all issues and resources dismissed from further analysis in this EA. It should be noted that issues are essentially an effect on a particular resource component. The following issues have been identified as relevant and are addressed in Chapters 3 and 4 of this EA:

### **1.8.1 Cultural Resources**

- Determination of adverse impact on eligible sites leaving Federal ownership.

### **1.8.2 Fuels and Fire Management**

- Change in management responsibility for projects designed to reduce the risk of wildfire near the town of Terra.

### **1.8.3 Invasive Species/Noxious Weeds**

- Acquisition of land on south end of Skull Valley infested with knapweed.
- Acres leaving Federal ownership have cheatgrass.

### **1.8.4 Livestock Grazing**

- Proponent and grazing permit holder are the same, but could require adjustment in BLM allocated animal unit months (AUMS).

### **1.8.5 Mineral Resources**

- The exchange of lands would result in a net loss of acreage with prospectively valuable minerals.

### **1.8.6 Recreation**

- Selected lands would not be available to the public for dispersed recreation.
- Portions of the Pony Express National Historic Trail, Cedar Mountain WA and other lands with outstanding opportunities for primitive recreation would be acquired by BLM.

### **1.8.7 Special Status Animal Species (including Migratory Birds)**

- Greater sage-grouse, bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*), other raptors and migratory birds occur on the proposed exchange parcels.

### **1.8.8 Special Status Plant Species (Pohl's Milkvetch)**

- BLM Sensitive Plant "Pohl's Milkvetch" occurs in southern Skull Valley.

### 1.8.9 Water Rights

- BLM would acquire the water right to Slater Spring and convert beneficial use from irrigation to livestock and wildlife. The non-Federal parties would retain seven other water rights.

### 1.8.10 Wildlife (excluding special status species)

- Portions of the proposed exchange parcels are mule deer, elk (*Cervus elaphus*), and pronghorn crucial ranges.

### 1.8.11 Wilderness and Wilderness Characteristics

- Consolidation of Federal ownership within the Cedar Mountain WA will increase BLM's ability to protect and improve the wilderness characteristics and recreational opportunities in the Cedar Mountains.
- Five parcels in the Onaqui Mountains that may possess wilderness characteristics would be acquired and managed by BLM.

### 1.8.12 Wild Horse Herd Management Areas (HMAs)

- BLM control of lands within the Cedar Mountain and Onaqui Mountains HMAs would increase.

## 1.9 ISSUES CONSIDERED BUT ELIMINATED FROM FURTHER ANALYSIS

The ID Team Checklist (Appendix B) details issues and resources considered by the ID Team. Potential impacts on resources covered by statutes and regulation were considered as well as issues identified through agency and public scoping. Issues and resources were dismissed from further analysis in this EA because they are either not present or would not be affected to a degree that requires detailed analysis. There are no Areas of Critical Environmental Concern, BLM Natural Areas, Prime or Unique Farmlands, important paleontological resources, Wild and Scenic River Segments, US Fish and Wildlife Service (FWS) listed or candidate threatened or endangered (T&E) species or woodland or forest products involved with the proposed exchange parcels. The only ground disturbing action that is reasonably foreseeable is installation of about 8.5 miles of fence that would be built to meet BLM wildlife protection standards. Therefore, soils, vegetation, visual resources and social or economic conditions would not be impacted to the degree that additional analysis is necessary.

There are no known hazardous substances, petroleum products, or recognized environmental conditions and/or CERCLA 120(h) concerns on the Selected Federal Lands. An Environmental Site Assessment Phase I Report for the selected lands would be done prior to exchange. Because the potential future use of the exchanged lands is continued livestock grazing and dispersed recreation, no toxic or hazardous substances or wastes would be used on the exchanged parcels. Therefore, no further analysis is needed. However, if the Environmental Site Assessment for the

selected Federal Lands identifies hazardous material or conditions, this EA will be updated and the public and Non-Federal parties will be advised.

## **1.10 SUMMARY**

This chapter has presented the purpose and need of the proposed project, as well as the relevant issues, i.e., those elements of the human environment that could be affected by the implementation of the proposed project. In order to meet the purpose and need of the proposed project in a way that resolves the issues, the BLM has considered and/or developed an appropriate range of alternatives. These alternatives are presented in Chapter 2. The potential environmental impacts or consequences resulting from the implementation of each alternative considered in detail are analyzed in Chapter 4 for each of the identified issues.

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## 2.0—DESCRIPTION OF ALTERNATIVES, INCLUDING PROPOSED ACTION

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### 2.1 INTRODUCTION

This section of the EA describes the Proposed Action and alternatives, including any that were considered but eliminated from detailed analysis. Two alternatives are considered in detail:

**Proposed Action Alternative:** The United States would acquire the surface estate of up to 14,357.91 acres comprised of 40 parcels of non-Federal land (offered lands), including all of the non-Federal parties' interest in the mineral estate and a water right for Slater Springs. In exchange, the United States would convey to the non-Federal parties the surface and the Federally-owned mineral estate of up to 13,959.12 acres comprised of 35 parcels of Federal land (selected lands) (Map 1).

**No Action Alternative:** The lands identified under the proposed action would not be exchanged but would be retained under their current ownership and uses.

The Proposed Action was developed to respond to the Purpose and Need. The No Action Alternative would not achieve the identified Purpose and Need. However, it is analyzed in this EA to provide a basis for comparison with the action alternative, and to assess the effects of not exchanging the proposed exchange parcels this time.

### 2.2 PROPOSED ACTION (WITH PRIORITIZED LIST OF PARCELS FOR ELIMINATION TO EQUALIZE VALUES OR AVOID IMPACTS ON RESOURCES).

The Skull Valley Land Exchange was proposed on February 2, 2006, by and between the Bureau of Land Management, Salt Lake Field Office (BLM) and Christopher F. Robinson, who represents AJR, L.C., a Utah limited liability company; CFR-CR, L.C., a Utah limited liability company; VAR, L.C., a Utah limited liability company; and Skull Valley Company, Ltd., a Utah limited partnership (collectively the "non-Federal parties"). Christopher F. Robinson represents the interests of all of the limited liability companies and the Skull Valley Company on matters concerning the exchange.

Under the exchange proposal, the United States would acquire the surface estate of up to 14,357.91 acres of non-Federal land, including all of the non-Federal parties' interest in the mineral estate (See Appendix A for Legal Descriptions), and a water right for Slater Springs. In exchange, the United States would convey to the non-Federal parties the surface and the Federally-owned mineral estate of up to 13,959.12 acres of Federal land. Several of the Federal and non-Federal parcels adjoin State- or County-maintained roads, and the exchange has been designed to utilize the roads as logical property boundaries.

Generally exchanges are made on a fair market value for value basis and acreages may be adjusted to equalize values or the private proponent may make a cash payment not to exceed

25% of the fair market value of Federal land to be transferred to equalize values. If the appraisal indicates that there would be an imbalance in value or if parcels are removed to protect other resources, parcels would be eliminated from the exchange according to the priorities shown in Appendix C.

The exchange would be made subject to valid existing rights such as easements, rights-of-way etc. The documents conveying the land whether quit claim deed or US patent would be made subject to or would reserve those rights for the current holders and their successors in interest. Refer to Appendix D for list of rights to be reserved. Map 1 shows existing roads that would remain open for public use subject to management of county roads by Tooele County.

BLM manages the public lands in the exchange area under the Pony Express RMP (BLM 1990 as amended). The acquired offered parcels would be managed in accordance with existing land use management prescriptions described in the existing Pony Express RMP and any subsequent amendments.

Those portions of the offered parcels within the Cedar Mountain WA would be managed according to the BLM National Wilderness Management Policy (43 CFR 6300, BLM Manual 8560, BLM Handbook H-8560-1). On offered parcel 32, an easement to an existing waterwell, tank, pipeline, powerline, and other ancillary facilities would be reserved to the non-Federal parties and would be cherry-stemmed out of the WA.

Acquired lands that may have wilderness characteristics would be inventoried and if present wilderness characteristics would be evaluated and weighed as future land use decisions are made. The management prescriptions that would apply under the Pony Express RMP can be viewed at [http://www.blm.gov/ut/st/en/prog/planning/existing\\_plans.html](http://www.blm.gov/ut/st/en/prog/planning/existing_plans.html). Table 2-1 shows the major RMP decisions that would apply to the non-Federal offered parcels if acquired by BLM.

**Table 2-1. RMP Decisions to be applied to Offered Parcels by BLM**

<b>Offered Parcel Number</b>	<b>Locatable and Saleable Minerals<sup>1</sup></b>	<b>Leasable Minerals<sup>2</sup></b>	<b>Visual Resource Class<sup>3</sup></b>	<b>Rights-of-way<sup>4</sup></b>	<b>OHV Use<sup>5</sup></b>	<b>Livestock Grazing<sup>6</sup></b>	<b>Wilderness Character<sup>7</sup></b>
1	Open	Category 1	Class III	Outside	Open	Open	Potential
2	Open	Category 1	Class IV	Outside	Open	Open	No
3	Open	Category 2	Class IV	Outside	Open	Open	Potential
4	Open	Category 1	Class IV	Outside	Open	Open	No
5	Open	Category 1	Class IV	Outside	Open	Open	Potential
6	Open	Category 1	Class IV	Outside	Open	Open	Potential
7	Open	Category 1	Class IV	Outside	Open	Open	Potential
8	Open	Category 1	Class IV	Outside	Open	Open	No
9	Open	Category 1	Class IV	Outside	Open	Open	No
10	Open	Category 1	Class IV	Outside	Open	Open	No
11	Open	Category 1	Class IV	Outside	Open	Open	No
12	Open	Category 1	Class IV	Outside	Open	Open	No
13	Open	Category 1	Class IV	Outside	Open	Open	No
14	Open	Category 1	Class IV	Outside	Open	Open	No
15	Open	Category 1	Class IV	Outside	Open	Open	No
16	Open	Category 1	Class IV	Outside	Open	Open	No
17	Open	Category 1	Class IV	Outside	Open	Open	No
18	Open	Category 1	Class IV	Outside	Open	Open	No
19	Open	Category 1	Class IV	Corridor	Limited	Open	No
20	Open	Category 1	Class IV	Corridor	Limited	Open	No
21	Open	Category 1	Class IV	Outside	Open	Open	No
22	Open	Category 1	Class IV	Outside	Open	Open	No
23	Open	Category 1	Class IV	Corridor	Open	Open	No
24	Open	Category 1	Class IV	Outside	Open	Open	No
25	Open	Category 1	Class II	Outside	Open	Open	No
26	Open	Category 1	Class IV	Outside	Open	Open	No
27	Open	Category 1	Class IV	Outside	Open	Open	No
28	Open	Category 1	Class IV	Corridor	Open	Open	No
29	Open	Category 1	Class IV	Outside	Open	Open	No
30	Open	Category 1	Class I	Outside	Closed	Open	WA
31	Open	Category 1	Class IV	Outside	Open	Open	No

Offered Parcel Number	Locatable and Saleable Minerals <sup>1</sup>	Leasable Minerals <sup>2</sup>	Visual Resource Class <sup>3</sup>	Rights-of-way <sup>4</sup>	OHV Use <sup>5</sup>	Livestock Grazing <sup>6</sup>	Wilderness Character <sup>7</sup>
32	Closed	Category 4	Class I	Outside	Closed	Open	WA
33	Open	Category 1	Class III	Corridor	Open	Open	No
34	Open	Category 1	Class III	Corridor	Open	Open	No
35	Open	Category 2	Class III	Corridor	Open	Open	No
36	Open	Category 1	Class IV	Corridor	Open	Open	No
37	Open	Category 1	Class IV	Corridor	Open	Open	No
38	Closed	Category 4	Class I	Outside	Closed	Open	WA
39	Close	Category 4	Class I	Outside	Closed	Open	WA
40	Open	Category 1	Class IV	Outside	Open	Open	No

1 Open to location of mining claims and sale of mineral materials.

2 Category 1: Open to leasing with Standard Stipulations; Category 2 Special Stipulations; Category 4 Closed.

3 Class I: The level of change to the characteristic landscape should be very low and must not attract attention; Class II: Management activities may be seen, but should not attract the attention of the casual observer; Class III Management activities may attract attention but should not dominate the view of the casual observer; Class IV: Management activities may dominate the view and be the major focus of viewer attention.

4 Corridor: Designated corridor. Outside: Proposals that are not considered major may be sited outside corridors after demonstrating that locating within a corridor is not viable.

5 Open: Open to cross country travel; Limited: Use limited to existing roads and trails; Closed: Closed to vehicle use.

6 Open to permitted livestock use.

7 Potential: Contiguous with an area that BLM intends to inventory for wilderness characteristics; WA: Designated Wilderness Area; No: Does not possess wilderness characteristics.

Parcels 7, 13a, 14a, and 33a are re-conveyed lands that would be conveyed to the non-Federal parties by quit claim deed. The remainder of the selected lands would be conveyed by patent.

The exchange would be made subject to valid existing rights such as easements, rights-of-way, etc. The documents conveying the land whether quit claim deed or US patent would be made subject to or would reserve those rights for the current holders and their successors-in-interest. Refer to Appendix D for a list of rights to be reserved.

BLM would adjust grazing allocations for the affected grazing allotments to account for changes in Federal and non-Federal acreages within the allotments. Range improvements on both the selected and offered parcels belong to the non-Federal parties and would remain in private ownership.

Rights-of-way held by the non-Federal parties on the offered parcels would be relinquished prior to the exchange.

The United States would reserve ditches and canals and two rights-of-way held by the FS.

The BLM would acquire water right (#16-10) at Slater Springs. The beneficial use classification of Slater Springs would be changed from irrigation to livestock and wildlife use. Seven water rights held or controlled by the non-Federal parties would be retained by them and used as at present.

The non-Federal parties would convey the surface and all of their mineral interests in the offered lands. Conveyance of the selected parcels would include the surface and Federally owned mineral estate.

Placer mining claims on selected Federal parcels 8, 9, and 13 would be relinquished by the non-Federal parties prior to the exchange closing.

All of the lands except for those within the Cedar Mountains WA would be opened to mineral entry and location of mining claims 90 days after the completion of the exchange. Withdrawal is unnecessary because there is not a high probability of locatable minerals on any of the non-Federal lands, and the BLM would acquire only 175 acres of locatable mineral ownership in the exchange.

Federally-owned minerals on four offered parcels within the Cedar Mountains WA would be withdrawn from all forms of entry. However, the State of Utah would retain their current ownership of the mineral estate (65 acres are within the Cedar Mountain WA).

The boundary of the landscape rock pit associated with selected parcel 19 would be modified to exclude lands west of Utah Highway 196.

Roads that provide access to the Stansbury Mountains managed by the FS Wasatch/Cache National Forest would be reserved by the United States to preserve public access to the forest lands.

BLM would prepare a formal cultural resource research design and mitigation plan in coordination with the SHPO (Appendix E). Mitigation would be completed prior to the exchange or affected parcels would be eliminated from the exchange. The non-Federal parties would fund preparation and implementation of the plan.

A land exchange is essentially an administrative action and does not involve any change agents that accompany other land use authorizations such as surface disturbance, construction, operation or maintenance activities. Land uses will in most cases remain the same although management of both Federal and non-Federal lands will improve through consolidation of ownership and increased efficiency of programs or operations. Once land is transferred to non-Federal ownership, it could be available for a variety of uses allowable under State and Local law, although the exchange proponents have not identified any specific plans for projects or large-scale changes in the use of the parcels they acquire.

## **2.3 ALTERNATIVE B – NO ACTION (NO EXCHANGE)**

This alternative would be to not exchange the lands identified under the proposed action and to retain them under their current ownership and uses. The public land retained in Federal ownership would continue to be managed under the provisions of the Pony Express RMP and applicable Federal law and regulations. Table 2-2 identifies the current management provisions for the selected Federal parcels.

Table 2-2. Current RMP Decisions for Selected Parcels

Offered Parcel Number	Locatable and Saleable Minerals <sup>1</sup>	Leasable Minerals <sup>2</sup>	Visual Resource Class <sup>3</sup>	Rights-of-way <sup>4</sup>	OHV Use <sup>5</sup>	Livestock Grazing <sup>6</sup>	Wilderness Character <sup>7</sup>
1	Open	Category 2	Class III	Corridor	Limited	Open	No
2	Open	Category 1	Class IV	Outside	Open	Open	No
3	Open	Category 1	Class IV	Outside	Open	Open	No
4	Open	Category 1	Class IV	Outside	Open	Open	No
5	Open	Category 1	Class IV	Outside	Open	Open	No
6	Open	Category 1	Class IV	Outside	Open	Open	No
7	Open	Category 1	Class IV	Outside	Open	Open	No
8	Open	Category 1	Class IV	Outside	Open	Open	No
9	Open	Category 1	Class IV	Outside	Open	Open	No
10	Open	Category 1	Class IV	Outside	Open	Open	No
11	Open	Category 2	Class IV	Outside	Open	Open	No
12	Open	Category 1	Class IV	Outside	Open	Open	No
13	Open	Category 1	Class IV	Outside	Open	Open	No
14	Open	Category 1	Class IV	Corridor	Open	Open	No
15	Open	Category 1	Class IV	Corridor	Open	Open	No
16	Open	Category 1	Class IV	Outside	Open	Open	No
17	Open	Category 1	Class IV	Outside	Open	Open	No
18	Open	Category 1	Class IV	Corridor	Open	Open	No
19	Open	Category 1	Class III	Corridor	Limited	Open	No
20	Open	Category 2	Class IV	Corridor	Open	Open	No
21	Open	Category 2	Class III	Corridor	Open	Open	No
22	Open	Category 2	Class III	Outside	Limited	Open	No
23	Open	Category 1	Class IV	Corridor	Open	Open	No
24	Open	Category 1	Class IV	Outside	Open	Open	No
25	Open	Category 1	Class IV	Outside	Open	Open	No
26	Open	Category 1	Class IV	Corridor	Open	Open	No
27	Open	Category 1	Class IV	Corridor	Limited	Open	No
28	Open	Category 1	Class IV	Outside	Open	Open	No
29	Open	Category 1	Class IV	Outside	Open	Open	No
30	Open	Category 1	Class IV	Corridor	Open	Open	No
31	Open	Category 1	Class IV	Corridor	Open	Open	No
32	Open	Category 1	Class IV	Corridor	Open	Open	No

Offered Parcel Number	Locatable and Saleable Minerals <sup>1</sup>	Leasable Minerals <sup>2</sup>	Visual Resource Class <sup>3</sup>	Rights-of-way <sup>4</sup>	OHV Use <sup>5</sup>	Livestock Grazing <sup>6</sup>	Wilderness Character <sup>7</sup>
33	Open	Category 1	Class IV	Corridor	Open	Open	No
34	Open	Category 1	Class IV	Corridor	Open	Open	No
35	Open	Category 1	Class IV	Corridor	Open	Open	No

1 Open to location of mining claims and sale of mineral materials.

2 Category 1: Open to leasing with Standard Stipulations; Category 2: Special Stipulations.

3 Class III Management activities may attract attention but should not dominate the view of the casual observer; Class IV: Management activities may dominate the view and be the major focus of viewer attention.

4 Corridor: Designated corridor. Outside: Proposals that are not considered major may be sited outside corridors after demonstrating that locating within a corridor is not viable.

5 Open: Open to cross country travel; Limited: Use limited to existing roads and trails

6 Open to permitted livestock use.

7 No: Does not possess wilderness characteristics.

Non-Federal lands would likely continue to be managed as they presently are consistent with State and local laws and zoning. Under the Tooele County General Plan, offered Parcel 19 is currently zoned A-20, requiring 20 acres for development; Parcel 37 is zoned MG-EX zone, which would allow for development of extractive mineral operations such as sand and gravel quarries. The remaining non-Federal lands are zoned as multiple use (MU-40), requiring 40 acres for development.

Under this alternative neither party to the exchange would achieve their identified purposes for making the exchange but not completing the exchange is possible if some procedural, technical or legal impediment is raised which would prevent the exchange from being made. This might include fair market values of the offered and selected land not being close enough to make the trade, title problems with the offered lands that can't be resolved, unacceptable impacts on other resources, etc.

## 2.4 ALTERNATIVES CONSIDERED, BUT ELIMINATED FROM FURTHER ANALYSIS

### 2.4.1 Purchase/Sale

There are two possible actions that would achieve the stated purposes of each party to the exchange proposal. Purchase by BLM of non-Federal land is a possible alternative. Funds are generally not appropriated for purchase of privately held land by BLM. Neither the Federal Land Transaction Facilitation Act nor Land and Water Conservation Fund funding would be available for the purchase of privately-owned land within the Skull Valley area as it is not an area of special designation.

Sale of the Federal land to private parties is also possible. However, none of the selected Federal lands in the exchange proposal have been identified as suitable for disposal by sale in the Pony Express RMP of 1990. A review of the criteria for disposal of Federal Lands in the RMP did not provide justification for a plan amendment to make any of the public lands identified in the

proposed action available for public sales. This alternative is not in conformance with the Pony Express RMP.

Other configurations of parcels were considered under previous exchange proposals. The parcels included in the present proposal were configured to eliminate impacts on protected resources and to be of benefit to both the BLM and the non-Federal parties. Additional lands could be included through an assembled land exchange, but they would not meet the same objectives as the proposed action and will be addressed through separate exchange proposals.



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## 3.0—AFFECTED ENVIRONMENT

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### 3.1 INTRODUCTION

This chapter presents the potentially affected existing environment of the impact area for the potentially impacted resources and issues identified in the ID Team Checklist found in Appendix B and presented in Chapter 1 of this EA. This chapter provides the baseline for analysis and comparison of impacts/consequences described in Chapter 4.

### 3.2 GENERAL SETTING

Skull Valley is a broad open desert valley approximately 45 miles west of Salt Lake City, Utah. The valley is a north-south fault block valley of the Basin and Range geophysical province. The valley is bounded on the west by the Cedar Mountains, a low to moderately high mountain range with the highest point being 7,700 feet, and on the east by the Stansbury and Onaqui Mountain Ranges; moderate to high mountain ranges with a maximum elevation of 11,037 feet at Deseret Peak. The parcels involved in the exchange are along the low to medium alluvial slopes of either the Cedar Mountains or Stansbury/Onaqui Mountains as shown on Map 1. Vegetation is mainly desert shrub type which in many cases has lost the shrub component due to wildfire and conversion to either cheatgrass (*Bromus tectorum*) or areas of wheatgrass seeded by the BLM after wildfires. Many areas above 6,500 feet elevation consist of a more native vegetation of scattered juniper, sagebrush, cliffrose, and native Great Basin grasses.

The selected Federal lands are located primarily along the State Highways 196 and 199 corridors traversing the western base of the Stansbury and Onaqui Mountain Ranges. The majority of the lands are situated northeast of Dugway (est. pop. 2,000) and southwest of the small community of Terra (estimated pop. 25) (Figure 3-1). There is limited commercial development and no industrial development in Skull Valley. Residents must commute to Tooele Valley for goods and services.

**Figure 3-1. Terra, Utah**

The selected parcels are adjacent to private lands but generally the boundaries between Federal and private lands are unmarked and indistinguishable on the ground. Three of the parcels adjoin the Wasatch National Forest. The offered non-Federal parcels are much less concentrated and mostly scattered throughout the Skull Valley floor. Nineteen of the offered non-Federal parcels are completely surrounded by Federal lands and cannot be readily distinguished from the Federal lands.

### 3.3 POTENTIALLY AFFECTED RESOURCES/ISSUES

#### 3.3.1 Cultural Resources

The term "Cultural Resources" covers three broad categories of properties. The first is prehistoric sites. These are primarily archeological sites, of value for their ability to provide information about early Native American life ways. Other prehistoric features may include rock art sites, stone alignments, and the like.

The second category is historic sites such as trails or roads and buildings. The third category is commonly called "Traditional Cultural Properties" or "TCP's". These are sites or features which are valued for their association with specific traditional Native American lifestyles, or spiritual practices or values.

An additional related category of resources is "Historic Landscapes where the visual setting may be an important integral part of the resource."

The National Historic Preservation Act (NHPA) requires that Federal agencies evaluate how each of their projects or tasks (called "actions" or "undertakings") could affect cultural or historic resources. It requires that those resources be identified, and that those which are eligible for or potentially eligible for the National Register of Historic Places (NRHP) be protected, and treated so that adverse impacts (effects) are prevented or minimized.

Because transfer of public historic properties to private ownership is an undertaking that results in an adverse effect (36 CFR 800.9(b)(5)) BLM is required to inventory all of the selected parcels, identify an Area of Potential Effect (APE) and gather sufficient information to evaluate the eligibility of properties for nomination to the National Register of Historic Places. BLM is also required to consult with the SHPO and other interested parties under section 106 of the NHPA and mitigate any adverse effects to eligible properties prior to closing the exchange.

The APE is comprised of the selected Federal Parcels. In 1998-1999, in response to an earlier exchange proposal, a Class II survey was completed on 97 percent of the selected Federal lands in the current exchange proposal. The survey identified 18 sites eligible to the National Register of Historic Places including three segments of historic trails and highways with two associated trash scatters and a campsite, two historic campsites; two historic corrals, a segment of a historic canal; five prehistoric lithic scatters; one prehistoric campsite and a prehistoric dugout. The State Historical Preservation Office (SHPO) was consulted on this cultural clearance and the methodology was approved. No TCPs or historic landscapes are identified for the proposed exchange parcels.

Offered parcel 28 is crossed by a segment of the Pony Express National Historic Trail from Missouri to Sacramento (Map 1 and Figure 3-2).

**Figure 3-2. Pony Express National Historic Trail Sign**

The route was also used by the Overland Stage after the Pony Express ceased operation in 1869. The historic Pony Express and Overland Stage Route has also been designated as a National Historic and Scenic Byway. This parcel was also the site of the Lookout Pass Pony Express Station and associated Dog Cemetery where the station master's wife buried many of her pets (Map 1, Figure 3-3 and Figure 3-4)

**Figure 3-3. Remnants of Pony Express Station**



**Figure 3-4. Pet Cemetery**



This area has heavy visitor use (Figure 3-5), and today contains one of the original obelisk monuments erected by the Civilian Conservation Corps (CCC) in the 1930s (Figure 3-6).

**Figure 3-5. Pony Express Lookout Pass Station Camping Area**



**Figure 3-6. Pony Express Monument**



Because of the heavy use and historical significance of the site, the BLM has assisted in managing this area under cooperative agreement with the landowner. Except for the historic roads or trails, there is not a high likelihood for the occurrence of significant cultural sites on the non-Federal lands in the exchange.

Utah Highway 196 from Interstate 80 to Iosepa follows a portion of the historic Hastings Cutoff of the California Trail. The Hastings Cutoff was an alternate route for emigrants to travel to California, as proposed by Lansford Hastings. In 1845, Hastings published a guide entitled *The Emigrant's Guide to Oregon and California*. A sentence in the book briefly describes the cutoff. The most direct route, for the California emigrants, would be to leave the Oregon route, at Fort Bridger; thence bearing West Southwest, to the Salt Lake; and thence continuing down to the bay of St. Francisco, by the route just described.

The cutoff left the Oregon Trail at Fort Bridger in Wyoming, passed through the Wasatch Range, across the Great Salt Lake Desert, an 80 mile waterless drive, looped around the Ruby Mountains, and rejoined the California Trail about seven miles west of modern Elko (also Emigrant Pass). The Donner Party, following in the wake of this initial party in 1846, had an unsuccessful experience with the Hastings Cutoff. They had arrived about a week late to travel with Hasting's party, and on his suggestion pioneered an alternate route to avoid Weber Canyon. The road building required through the Wasatch Mountains and the grueling Great Salt Lake Desert delayed them. When they had arrived at the California Trail, they were delayed about a month. The party arrived at Donner Pass just as an early winter storm closed it. After becoming snowbound in the Sierra Nevada, many died of starvation and some of the emigrants resorted to eating their animals and the deceased members of the group.

The trail crosses selected parcels 19 through 22 (1.25 miles total), and offered parcels 33 through 37 (1.33 miles total). The segment on selected parcel 22 is considered eligible for listing on the NRHP. Oregon-California Trail Association (OCTA) has placed white fiberglass trail signs and rail markers along the historic trace of the trail in Skull Valley. Wagon ruts may still be visible on selected parcel 19, 20, and 22.

Utah Highway 199 through Johnson (Fischer) Pass to about one and a half miles south of Terra is part of the original route of the Lincoln Highway. The Lincoln Highway is reported as the first transcontinental highway and was built in the early 1900s. "Conceived in 1912 and formally dedicated October 31, 1913, the Lincoln Highway was America's first national memorial to President Abraham Lincoln, predating the 1922 dedication of the Lincoln Memorial in Washington, D.C. by nine years. As the first automobile road across America, the Lincoln Highway brought great prosperity to the hundreds of cities, towns and villages along the way. The Lincoln Highway became affectionately known as "The Main Street Across America." About 0.9 miles south of Terra, the Lincoln Highway diverges from Utah Hwy 199 and extends to the west to join the Skull Valley Road (Highway 196). The original route of the Lincoln Highway passes through offered parcel 2 and selected parcels 9, 27 and 28. There are no interpretive sites or other specific points of interest along the Lincoln Highway in this area (Map 1 and Figure 3-7). A portion of the route through selected parcel 27 along with trash scatter and a campsite are eligible for the NRHP.



### Figure 3-7. Lincoln Highway

Looking west at the Lincoln Highway in Skull Valley between Utah Highways 199 and 196.



The Skull Valley road (Highway 196), Highway 199 to Dugway and several other county roads in Skull Valley were also used as part of the Lincoln Highway. A segment of Highway 199 through selected parcels 14 and 15 is also eligible for the NRHP. All segments of the Lincoln Highway are of historical interest.

### 3.3.2 Fire and Fuels Management

The Salt Lake Field Office participates with interagency fire partners within eleven counties in northwestern Utah, including Tooele County. The field office fire program is a complex organization with responsibilities in suppression, planning, fuel hazard reduction, aviation, mitigation, and prevention.

In order to reduce fuel loads and reduce fire severity and frequency, the BLM conducts vegetative treatments designed to reduce fuel loads by protecting or improving the salt desert shrub vegetative communities in the Great Basin. Vegetation on federal lands surrounding the small community of Terra has been treated to reduce fuel loads and create firebreaks to protect both Federal and private lands (Figure 3-8).



**Figure 3-8. Vegetation Treatment on West Side of Onaqui Mountains**

The light colored band in the center of the photo is a treated area south and east of Terra.



In Skull Valley, BLM is involved in fire suppression under agreement with the private land owners including the non-Federal parties.

**3.3.3 Invasive Species/Noxious Weeds**

Squarrose knapweed is on the Utah Noxious Weed list (Utah Weed Control Association, 2011). Squarrose knapweed is a competitive rangeland weed native to the eastern Mediterranean area. It was first discovered in Utah in the 1950s. It thrives in arid sagebrush and bunchgrass rangeland. It grows on about 150,000 acres in Juab, Tooele, Millard, Utah, and Sanpete Counties. Knapweeds have been identified along the entire length of the sheep trail in Tooele County and have been identified in several grazing allotments along the trail including those in Skull Valley. It is known to occur on the offered non-Federal parcels in the south end of Skull Valley. Cheatgrass is a widespread invasive species that occurs on all of the proposed exchange parcels

Tooele County is part of the Squarrose Knapweed Demonstration Area that was organized by county, state and Federal agencies in 1997 with the guidance of the Bureau of Land Management's Fillmore office. The demonstration area includes all of Millard, Juab, Utah and Tooele counties. The counties and agencies join efforts to seek funding and use the grants they obtain to augment agency budgets. This allows them to sponsor cooperative workdays, aerial

spraying, and to provide chemicals to private landowners whose lands are infested (UPCD 2011).

The proposed exchange parcels also are in the Bonneville Cooperative Weed Management Area (CWMA). Noxious weed control is primarily the responsibility of Tooele County but BLM works with the County in efforts to resolve any noxious weed problems and conducts treatment to control the spread of knapweed and other noxious species.

Cheatgrass, which occurs on all of the proposed exchange parcels, is also known as downy brome or June grass. It was introduced into the United States in packing materials, ship ballast and likely as a contaminant of crop seed. It was first found in the United States near Denver, Colorado, in the late 1800s (Whitson et al. 1991). In the late 1800's and early 1900's, it spread explosively in the ready-made seed-beds prepared by the trampling livestock hooves of overstocked rangelands. Disturbance associated with homesteading and cultivation of winter wheat also accelerated its spread and establishment. By the 1930's, cheatgrass was becoming the dominant grass over vast areas of the Pacific Northwest and the Intermountain West regions and the "worst" western range weed. It is currently classified as an invasive weed but is not on the Utah list of noxious weeds (USDA, NRCS, 2011).

### **3.3.4 Livestock Grazing**

#### **3.3.4.1 Size and Kind of Livestock Operations**

Livestock grazing permits in Tooele County range from 4 to 15,000 AUMs. Approximately 70 percent of the operations have permits for less than 500 AUMs; therefore, 40 operators control 80 percent of the permitted forage. The selected Federal parcels are scattered through four Federal grazing allotments and the offered non-Federal parcels are located in six BLM grazing allotments administered by the SLFO (Map 2). The selected Federal parcels are in the Skull Valley, South Skull Valley, Salt Mountain and Lost Creek allotments.

The offered private parcels are in the Skull Valley, South Skull Valley, Salt Mountain, Onaqui Mountains West, Riverbed and Pony Express Trail Allotments. The non-Federal parties are the authorized permittees on the Lost Creek and Onaqui Mountain West allotments, and are co-permittee along with Brown's Diamond J on the Salt Mountain allotment. The grazing privileges for the Skull Valley and South Skull Valley Allotments are held by the non-Federal parties and are operated along with the allotments that contain the selected Federal parcels. The grazing rights for the Riverbed Allotment are held by the non-Federal parties but are leased to another operator. The Pony Express Trail has historically and is currently used as a livestock trail for sheep and cattle. The trail is used by several permittees but no grazing privileges are allocated by BLM. Table 3-1 includes the livestock grazing information for the affected allotments including the current active preference for the allotments within the analysis area.

Table 3-1. Livestock Grazing Allotments

Permit #	Allotment Name and Number	Permit Holder(s)	Number and Kind of Livestock	Season of Use	Animal Unit Months	Acres (AUMs) Offered	Acres (AUMs) Selected
4302018	Skull Valley #04034	Non-Federal Parties	11,335 cattle 3,000 Sheep <sup>1</sup>	11/01 – 04/30 11/01 – 04/30	11,240 AUMs 5,999 AUMs	2,150 (117)	52 (3)
4300329	South Skull Valley #04035	Non-Federal Parties	723 cattle 3,800 sheep <sup>1</sup>	11/01 – 04/30 11/01 – 04/30	4,302 AUMs 4,522 AUMs	9,846 (832)	11,533(1,000)
4300329		Non-Federal Parties	93 cattle	11/01 – 02/28	367 AUMs	0 (0)	0(0)
4302018	Salt Mountain #04062	Non-Federal Parties	767 cattle	05/01 – 05/31	782 AUMs	116 (6)	1,355(70)
4302006		Brown	45 cattle	05/01 – 06/15	68 AUMs	0 (0)	0(0)
4300329	Lost Creek #04028	Non-Federal Parties	36 cattle	11/01 – 03/31	179 AUMs	0 (0)	1,386(70)
4300329	Onaqui Mtn West #04057	Non-Federal Parties	228 cattle	05/16 – 10/15	1,147 AUMs	1,696 (89)	0(0)
4300690 (AJR, CFR, VAR Lease)	Riverbed #05017	Leased <sup>2</sup> from Non Federal Parties	610 sheep	11/01 – 04/15	666 AUMs	641 (9)	0(0)
Livestock Trailing only	Pony Express Trail #04000	Trailing permits held by permittees	NA <sup>3</sup>	NA	NA	118 (0)	0(0)

1 The sheep AUM's in the Skull Valley and South Skull Valley allotments are annually converted to cattle usage.

2. Proposed exchange parcel within the allotment is owned by the non-Federal parties but is operated by another permittee.

3. Not applicable because no forage is allocated on the Pony Express Trail Allotment.

Range improvements on the affected grazing allotments belong to the non-Federal parties.

Because private and public land are intermingled and indistinguishable on the ground, OHV and other recreational activities have caused damage to the non-Federal parties' range improvements, trampled forage and harassed cattle in certain areas.

### 3.3.5 Mineral Resources

Congress has enacted a series of legislation that has defined minerals into three general categories; locatable minerals, leasable minerals, and salable minerals. The surface management requirements and mining regulations vary according to each mineral group.

Locatable Minerals include metallic and uncommon or unique grades of industrial minerals including chemical grade diatomaceous earth. Locatable minerals may be staked as mining claims under the General Mining Law of 1872, as amended, and the Surface Use and Occupancy Act of July 23, 1955. Federal lands are either open or closed for locatable mineral claim and development.

Leasable Minerals require a lease to mine and consist of oil and gas, geothermal, sodium, potassium, and phosphate. Salable Minerals are acquired through contracts and permits, which are handled through the BLM Field Office (FO) where the minerals are located. Common varieties of sand, stone and gravel are considered salable minerals. The availability of minerals for lease or sale is determined through the applicable land use plans of the Federal agencies.

On the offered lands the non-Federal parties' mineral interests include all of the mineral interests on 156.45 acres; and undivided 50 percent interest in the minerals on 120 acres; all minerals except oil and gas on 19.28 acres; diatomaceous earth from the surface to a depth of 150 feet on 3,324.77 acres; and the sand and gravel resources on 13,460 acres. The remainder of the mineral estate, including oil and gas, is held by the State of Utah (9,960 acres) and Anschutz Resources (3,325 acres). The acreage of potentially valuable mineral resources on the selected and offered lands is shown in Table 3-2.

**Table 3-2. Mineral Resources<sup>1</sup>**

<b>Resources</b>	<b>Offered Private Land (acres)</b>	<b>Selected Federal Lands (acres)</b>
Geothermal	143	727
Sodium and Potassium	143	488
Diatomaceous Earth	3,324.77	1080
Oil and Gas	14,357.91 (9,960 State Owned; 3,325 owned by Anschutz)	14058.28
Sand and Gravel	8,123 (BLM currently owns 20 acres)	5,045

Source: BLM Mineral Report available at the Salt Lake FO

<sup>1</sup> All except diatomaceous earth are considered potentially valuable. The extent of diatomaceous earth is unknown; the acreage figures are for ownership.

A mineral potential report prepared by the BLM in January 2007 and approved in March 2007 (available at the Salt Lake FO) concluded the following:

Four selected Federal parcels (#19-22) totaling 727 acres and five offered non-Federal parcels (#33-37) totaling 143 acres have been classified as prospectively valuable for geothermal resources. Because of the relatively low geothermal water temperatures, the potential for development or use of the resource is low.

In addition, three selected Federal parcels (#19-21) totaling 488 acres and five offered non-Federal parcels (#33-37) totaling 143 acres are prospectively valuable for sodium and potassium minerals. The sodium and potassium minerals associated with all eight parcels are not exposed at the surface, but are generally beneath a cover of alluvial and lacustrine sand, gravel and clay. The potential for development of sodium and potassium minerals is low and it is not likely that any development of these minerals will occur.

Large deposits of sand and gravel resources associated with Lake Bonneville shorelines are found on 5,045 acres of the selected Federal lands (parcels 1-4, 20-27, and 35), and 8,123 acres of the offered non-Federal lands (parcels 2, 3, 5, 7-17, 19, 20, 24, 25, 29, 30, 33-37, and 40). Of the 8,123 non-Federal acres, the United States would acquire the sand and gravel resources on 7,783 acres (the United States owns the sand and gravel on 20 acres and the remainder are presumed to have been reserved by previous landowners).

Currently there are large deposits of sand and gravel much closer to developing areas such as the Tooele Valley and to Interstate Highway 80 than those associated with the exchange parcels.

There is an active community pit designation covering Federal parcel #19, allowing for the issuance of over-the-counter permits to the general public for landscape rock. Material removal occurs only on the east side of State Highway #196, and does not affect the exchange parcel.

All of the selected Federal and offered non-Federal parcels are considered to be prospectively valuable for oil and gas resources. Of the oil and gas rights on the offered parcels the State of Utah currently owns 9,960 acres and Anschutz Corporation owns 3,325 acres. The Federal government owns the oil and gas rights on the selected parcels. Although there is potential for future exploration, there have been no discoveries or successful developments for oil and gas in the Skull Valley area. Therefore the potential for development of oil and gas resources in the exchange area is low.

With the exception of Federal parcels 8, 9 and 13 where there are 1080 acres of placer mining claims (held by the non-Federal parties) for diatom-bearing silt carbonate (diatomaceous earth), there is no known value for other locatable or leasable minerals, including coal, oil shale or phosphates, or for industrial minerals or metallic minerals on the proposed exchange parcels. There is a current mining operation ongoing for the diatomaceous earth deposit within selected parcel #9. This operation is being operated by Holcim Inc., a cement manufacturer, under a lease arrangement with the non-Federal parties. This operation has an existing pit of about 5 acres and the mineral is mined on a campaign basis as needed. According to the non-Federal parties, Holcim Inc. has not mined any material from this site for over six or seven years. Holcim's lease expired in 2011 but has been extended for at least one year. Prior to the exchange closing, the mining claims would be relinquished by the non-Federal parties. The non-Federal parties own the rights to diatomaceous earth to a depth of 150 feet on 3,324.77 acres of the offered parcels.

### 3.3.6 Recreation

Dispersed camping, hunting, target shooting, and OHV use are the primary recreation activities in the proposed exchange area. Other uses could include sightseeing, photography, horseback riding, studying nature, backpacking and hiking.

Offered parcel 37 (10.68 acres) on the western foothills of the Stansbury Mountains is part of the South Skull Valley Cooperative Wildlife Management Unit (CWMU) where the non-Federal parties presently offer about ten buck deer and three buck pronghorn antelope permits per year to the public through UDWR drawings or purchase of permit vouchers from the land owners. Selected parcels 23-26 (1,360 acres) are contiguous with the South Skull Valley CWMU. Offered parcels 33-37 (142.82 acres) are also on the western foot hills of the Stansbury Mountains and are included with private lands where the non-Federal parties offer deer and pronghorn hunting permits to the public. Selected parcels 1 and 19-26 (2,815.81 acres) are contiguous with these private hunting areas.

Offered parcel 28 is crossed by a segment of the Pony Express National Historic Trail from Missouri to Sacramento. The route was also used by the Overland Stage after the Pony Express ceased operation in 1869. The historic Pony Express and Overland Stage Route has been designated as a National Historic and Scenic Byway. The only specific recreation destination is the Pony Express station, monument and dog cemetery on offered parcel 28 (Map 1, Figure 3-1, Figure 3-2, Figure 3-3, and Figure 3-5). The trail and associated sites receive heavy visitor use (Figure 3-5). This site is especially popular for family and group camping outings in the spring.

Utah Highway 199 to Dugway from Johnson Pass to about one and a half miles south of Terra is part of the original route of the Lincoln Highway. From Highway 199, the Lincoln Highway extends to the west to join the Skull Valley Road (Highway 196) (Figure 3-7). The Lincoln Highway is reported as the first transcontinental highway and was built in the early 1900s. It is a route of interest to the public and is used as a recreational resource for driving for pleasure. The original route of the Lincoln Highway passes through offered parcel 2 and selected parcels 9, 27 and 28. There are no interpretive sites or other specific points of interest along the Lincoln Highway in this area (Figure 3-7). The Skull Valley road (Highway 196) and several other county roads in Skull Valley were also used as part of the Lincoln Highway.

Utah Highway 196 from Interstate 80 to Iosepa follows a portion of the historic Hastings Cutoff of the California Trail. The trail crosses selected parcels 19 through 22 (1.25 miles total), and offered parcels 33 through 37 (1.33 miles total). Wagon ruts may still be visible on selected parcel 19, 20, and 22. In cooperation with the NPS, the BLM recently implemented a Local Tour Route of the Hastings Cutoff from Interstate 80 south along Hwy 196 and then across Skull Valley and the Cedar Mountains via county-maintained roads. BLM has erected signage on the tour route for visitors to follow, and interpretive sites are planned at Horseshoe Springs and Hastings Pass. Trail history groups like the Oregon-California Trail Association frequently use this portion of the trail for recreational tours and historic sightseeing trips.

Offered parcels 30, 32, 38 and 39 are within or adjacent to the Cedar Mountains WA that offers outstanding opportunities for primitive and unconfined recreation including hiking, backpacking, sightseeing, photography and hobby rock collecting.

The non-Federal parcels intermingled in the Federal lands throughout Skull Valley and Federal lands located in the vicinity of Terra also are used by the public for OHV activity, hunting and general recreation. The residents of Skull Valley view the BLM lands as part of their neighborhood and use them as a readily accessible recreational opportunity. Besides the non-Federal parties, private lands adjacent to the selected Federal parcels are owned by 15 different owners.

The Off-Highway Vehicle (OHV) designations prepared in 1992 for the Pony Express Resource Area identify the area around Terra as limited to existing roads and trails. Although OHV activity in this area is prevalent, the BLM has not identified the area as a special recreation management area because of the amount of private land. The BLM has been unable to adequately manage and enforce the restrictions in the plan for this area due to other higher priority use areas. As such, the area around Terra has been impacted by dispersed OHV use, camping, and target shooting on the Federal as well as the adjacent and intermingled private lands (Figure 3-9).

**Figure 3-9. OHV Tracks**



Several of the Federal parcels are crossed by roads used by the public to access the Stansbury Mountains managed by the Wasatch/Cache National Forest (Map 1). The USFS holds rights-of-way on two the access roads that have been authorized under authority of appropriation acts (44 L.D. 513 [1916; Instructions, 44 L.D. 359; Circular 442, August 21, 1915, and Instructions 44 L.D. 513, Circular 442, January 13, 1916).

### 3.3.7 Special Status Animal Species including Migratory Birds

Bureau of Land Management (BLM) Manual 6840 establishes special status species policy for plant and animal species and the habitat on which they depend. This policy refers not only to species protected under the Endangered Species Act (ESA), but also to those designated by the State Director as Sensitive. Section 06D of the manual provides that State Directors, usually in cooperation with the State wildlife agency, may designate sensitive species. By definition the sensitive species designation includes species that could easily become endangered or extinct in the state. Therefore, if sensitive species are designated by the State Director, the protection provided by the policy for candidate species shall be used as the minimum level of protection.

The ferruginous hawk (*Buteo regalis*), short-eared owl (*Asio flammeus*), burrowing owl (*Athene cunicularia*), long-billed curlew (*Numenius americanus*) and bald eagle that occur on or in the vicinity of the proposed exchange parcels are on the UDWR and Utah BLM Sensitive Species List (March 2012) as species of concern. Five known ferruginous hawk nests occur on the selected Federal lands and two are located on the offered private lands. One bald eagle winter roost is located on the offered lands.

Bald and Golden Eagles are federally protected under the Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668-668c). Golden eagles also occur on the proposed exchange parcels. There is at least one active Golden eagle nest on the selected Federal lands.

Kit fox (*Vulpes macrotis*) and greater sage-grouse are also UDWR and BLM species of concern that could occur on the proposed exchange parcels. Kit fox dens are scattered through the valley. No specific dens for kit fox have been identified on the exchange parcels. The area is within pygmy rabbit distribution range. Pygmy rabbit is a sage brush obligate species and prefers tall dense sage brush to burrow in. UDWR had surveyed the area in 2007 and 2010; however, no pygmy rabbit signs were found.

In April 2010, the U.S. Fish and Wildlife Service (FWS) determined that the greater sage-grouse warranted protection under the Endangered Species Act (ESA) identifying habitat degradation and lack of regulatory mechanisms (75 FR 13910 – 14014; 03/23/2010). In 2015, the FWS will make final listing decision for the greater sage-grouse. To address immediate threats to greater sage-grouse, the BLM Washington Office has issued an IM providing interim conservation policies and procedures across multiple programs, in order of threat magnitude, while the BLM amends or revisions to LUPs. The principal regulatory mechanisms for the BLM are Resource Management Plans (RMPs), which are planned to be revised by the end of 2014 prior to the FWS listing decision. This direction ensures that interim conservation policies and procedures are implemented when field offices authorize or carry out activities on public land while the BLM develops and decides how to best incorporate long-term conservation measures for greater sage-grouse into applicable Land Use Plans (LUP).

About 226.6 acres of occupied greater sage-grouse habitat occurs on the offered private lands (Map 3). There are no active leks or known nesting areas within the occupied habitat.

The Migratory Bird Treaty Act (MBTA) of 1918 decreed that all migratory birds and their parts are fully protected. Under the Act, it is unlawful to take, import, export, possess, buy, sell,



purchase, or barter any migratory bird. Feathers or other parts, nests, eggs, and products made from migratory birds are also covered by the Act. Take is defined as pursuing, hunting, capturing, trapping, or collecting.

Under the direction of Executive Order (EO) 13186 signed on January 10, 2001, Federal agencies are directed to evaluate effects of actions and agency plans on migratory birds, with emphasis on species of concern. The most recent list of migratory bird species of concern (50 CFR 10.13 delineated by the US Fish and Wildlife Service (FWS) is dated March 1, 2010 (75 Federal Register [FR] 9282). A proposed revision to the list was published in FR, *Vol. 76, No. 80, Tuesday, April 26, 2011*.

The following species of raptors are known to occur in the Pony Express Resource Area: ferruginous hawk, turkey vulture (*Cathartes aura*), red-tail hawk (*Buteo jamaicensis*), northern harrier (*Circus cyaneus*) sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipiter cooperii*), American kestrel (*Falco sparverius*), golden eagle (*Aquila chrysaetos*), bald eagle, prairie falcon (*Falco mexicanus*), short-eared owl (*Asio flammeus*), barn owl (*Tyto alba*), western screech owl (*Otus kennicottii*), great horned owl (*Bubo virginianus*), long-eared owl (*Asio otus*), and burrowing owl. These raptor species utilize many types of habitats. They may use public land private lands for nesting, roosting, or feeding on available prey.

The most sensitive habitats for raptors are their nest sites. Annual raptor surveys are conducted in Skull Valley by the Raptor Inventory Nest Survey (RINS). The Utah Natural Heritage Program (UNHP) Database was also searched for any raptor nest records (UNHP 2012). There are 22 identified raptor nests on the selected lands (6 parcels) and 6 on the offered lands (2 parcels).

Nesting raptors include the golden eagle, red-tailed hawk, ferruginous hawk, swainson's hawk and prairie falcon. Nest sites may be on a cliff, in a tree, in or on man-made structures, on the ground, or in a burrow in the ground. Habitat conflicts occur when these nest sites or associated buffer zones (1.5 miles) are disturbed during the breeding season.

Neotropical migratory bird species also likely nest on the proposed exchange parcels although databases do not have any records of nests of those species.

### 3.3.8 Special Status Plants (Pohl's milkvetch)

The only special status plant species that occurs on any of the proposed exchange parcels is the Pohl's milkvetch. As a species, Pohl's milkvetch is common in the Intermountain West with 10 varieties in Utah. However, the "pohlii variety" of Pohl's milkvetch (*Astragalus lentiginosus var. pohlii*) is a BLM Sensitive Plant Species that occurs only in the southeastern portion of Skull Valley and the Southwestern portion of Rush Valley. The Utah Native Plant Society has identified Pohl's milkvetch as one of the 31 plant species in Utah considered as extremely high priorities for conservation attention (Utah Native Plant Society 2009). Populations are reported to be declining because of OHV use and invasive species.

In Skull Valley these plants are found growing in among black greasewood and Wyoming big sagebrush plants where weeds are lacking and the soils have higher concentrations of sodium. A survey conducted in 1994 located three population areas of Pohl's milkvetch in the vicinity of

three of the selected Federal parcels. All of these parcels provide habitat for Pohl's milkvetch, however, a resurvey conducted in May 2010 shows that populations now occur only on selected parcel 27. The decline in occurrence of the plants is likely due to fires and invasion by cheatgrass, halogeton, summer cypress milkvetch, Russian thistle and other weeds.

### 3.3.9 Water Rights

Water is scarce and unevenly distributed in Tooele County. Most surface flow and groundwater recharge result from winter precipitation in the area's mountain ranges. Summer thunderstorms can produce intense rainfall of short duration, but little precipitation escapes rapid evapotranspiration in the dry desert climate.

Surface water and groundwater are estimated to be of good quality on mountain flanks and foothills, but are often hard and/or brackish on valley floors. BLM has identified 122 springs, 109 reservoirs, 54 wells and 9 perennial streams on public land in Tooele County. Fifty-eight springs have suitable flow and location to be used by livestock. Most of the 109 reservoirs are small entrapments constructed on intermittent stream drainages and are dry most of each year. Ten wells are abandoned and another 15 lack development for livestock or wildlife watering; the remaining 29 wells serve livestock and wildlife. The nine perennial streams are small.

All of the water sources on the exchange parcels are springs or wells. No perennial streams cross any of the exchange parcels (Map 2). Water right (#16-10) at Slater Springs is on offered parcel 6 (Map 2). This spring is a valuable watering source for the wild horse herds, wildlife such as mule deer, pronghorn, upland game birds, and Rocky Mountain elk. Besides water right #16-10, there are ten other water rights on the offered non-Federal lands. One is held by a private party not involved in the exchange (water right #16-800 held by Clean Harbors), two are held by the United States (water rights #16-162 and #16-775), and the remaining seven are held or controlled by the non-Federal parties. The water sources associated with the seven water rights are distributed on seven of the proposed exchange parcels as shown on Map 2. The water rights are presently used for irrigation or livestock and wildlife.

There are no water rights associated with the selected Federal lands, except for one held by a third party on Parcel 13 #16-738 - Andrus that existed prior to acquisition of the parcel by the United States. The water right has not been in use for many years, but still appears on the State Water Engineer's records.

### 3.3.10 Wildlife (excluding Special Status Species)

The proposed exchange parcels provide habitat for a variety of common wildlife species including lizards, snakes, bats, cottontail rabbits (*Sylvilagus spp*), black-tailed jackrabbits (*Lepus californicus*), coyote (*Canis latrans*), mountain lion (*Puma concolor*) mule deer, elk, and small mammals. Big game species include mule deer, elk and pronghorn. Big game habitats on the selected and offered lands as classified by the UDWR are shown on Map 4 and detailed in Table 3-3.

**Table 3-3. Big Game Habitats**

<b>Habitat Type</b>	<b>Offered Private Lands (acres)</b>	<b>Selected Federal Lands (acres)</b>
Crucial Mule Deer Winter/Spring/Fall Range	3036	1454
Substantial Value Mule Deer Range	827	0
Crucial Elk Winter/Spring Range	108	2746
Substantial Value Elk Winter Range	0	102.8
Pronghorn Crucial Range	12,110	10,770

Source: Utah Division of Wildlife Resources

Crucial range for mule deer is found on all or part of seven selected parcels and ten offered parcels. The offered private lands contain about 827 acres of land classified by the Utah Division of Wildlife Resources (UDWR) as substantial winter range for mule deer and 3,036 acres classified as crucial mule deer winter/spring/fall range. The selected parcels contain 1,454 acres of crucial mule deer winter/spring range.

The majority of elk habitat is on the selected Federal lands. Elk crucial winter/spring range is found on all or part of ten selected parcels and one offered parcel. About 103 acres of the selected lands are classified by UDWR as substantial value elk winter range and 2,746 acres are crucial elk winter/spring range. The offered private lands contain 108 acres of crucial elk winter/spring range. The select parcels and offered parcels east of Utah Highway 196 are in UDWR Deer and Elk Herd Management Area 18A (Stansbury). Those parcels West of Highway 196 are in Herd Management Area 19A (West Desert Mountain Ranges).

The proposed exchange parcels are in the Riverbed (2A) pronghorn management area. About 10,770 acres of the selected lands and 12,110 acres of offered lands are classified by the UDWR as crucial pronghorn range. Important use areas are clustered around water sources.

Slater Springs on offered parcel 6 is a valuable source of water for wildlife.

### **3.3.11 Wilderness and Wilderness Characteristics**

Approximately 598 acres in four of the offered private parcels (30, 32 and 38, and 39) are within the boundaries of the 100,000-acre Cedar Mountain WA designated by Congress on January 6, 2006 under Section 384 of PL 109-163 (Map 1). These parcels contain important wilderness values of natural appearing landscape and outstanding opportunities for solitude and primitive and unconfined recreation.

The BLM's primary wilderness management goal is to manage and protect WAs in such a manner as to leave them unimpaired for future use and enjoyment as wilderness. Wilderness areas are devoted to the public purposes of recreational, scenic, scientific, educational, conservation and historical use.

As part of the National Wilderness Preservation System, the Cedar Mountains WA is managed under BLM's Wilderness Management Guidelines (BLM Manual 8560 and H-8560-1).

The following activities are prohibited inside the Cedar Mountain WA:

- Use of motor vehicles, motorized equipment or other forms of mechanical transport
- Operation of a commercial enterprise without a permit from BLM
- Commercial or organized competitive activities and events
- Landing of aircraft
- Building of structures
- Cutting of trees and other vegetation

Private land adjacent to and within the WA is currently used for trespass OHV use and other forms of recreation that are incompatible with management for protection of naturalness, outstanding opportunities for solitude and primitive and unconfined recreation.

Section 603 of the FLPMA required the BLM to inventory the public lands, designate Wilderness Study Areas (WSAs), and make recommendations for designation of WSAs to the National Wilderness Preservation System to Congress by 1991. To qualify as a WSA, the land must be a roadless area of at least 5,000 acres (2,000 ha) (or be of "manageable size"), generally unaffected by human development, provide opportunities for primitive and/or unconfined recreation, and may have special ecological, geological, educational, historical, scientific and/or scenic value. Until the United States Congress makes a final determination on the status of a WSA, the BLM must manage it to prevent impairment of wilderness characteristics.

BLM concluded its Section 603 wilderness review in 1991. None of the proposed exchange parcels are in designated WSAs. However, offered parcels 1, 3, 5, 6, and 7 in the Onaqui Mountains are contiguous with areas that BLM intends to re-inventory for wilderness characteristics including the appearance of naturalness and outstanding opportunities for solitude and/or primitive and unconfined recreation. For non-WSA lands that possess wilderness characteristics, BLM analyzes the impacts of future proposals on wilderness characteristics and weighs wilderness resource values along with the other resource of a proposed action as decisions are made.

### **3.3.12 Wild Horse Herd Management Areas**

About 12,200 acres of the offered private lands are yearlong range for horses in the Cedar Mountain and Onaqui Mountain Wild Horse Herd Management Areas (HMAs) (Map 5). These HMAs (also shown on Figure 3-2 of the Pony Express Draft RMP/EIS) are heavily used by, and important to, the wild horse population of the area. Slater Springs, on offered parcel 6, is an important source of water for these HMAs.

The selected Federal parcels include 2,840 acres within the Onaqui Mountain HMA; however, this particular acreage is considered to be some of the poorest range in the HMA and is rarely used by wild horses.

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## 4.0—ENVIRONMENTAL IMPACTS

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### 4.1 INTRODUCTION

This section of the EA documents the potential environmental impacts which would be expected with implementation of the Proposed Action and/or the No Action Alternative. These include the direct impacts (which are caused by the action and occur at the same time and place), indirect impacts (which are caused by the action and are later in time or farther removed in distance) and cumulative impacts (those impacts resulting from the incremental impact of an action when added to other past, present, or reasonably foreseeable actions regardless of what agency or person undertakes such other actions).

### 4.2 GENERAL ANALYSIS ASSUMPTIONS AND GUIDELINES

For the proposed action it is assumed that it would be implemented as described in Chapter 2 and that all of proposed parcels would be exchanged. Once land is transferred to non-Federal ownership, it could be available for a variety of uses allowable under State and Local law, although the non-Federal parties or other land owners in Skull Valley have not identified any specific plans for projects or large scale changes in land use. The NEPA requires that Federal agencies analyze the reasonably foreseeable impacts of reasonably foreseeable actions (40 CFR 1502.22). The following assumptions are made as reasonably foreseeable actions for analysis if the proposed exchange is approved:

It is assumed that about 8.5 miles of wire fencing would be installed. BLM may fence a small area around the Pony Express monument and station for protection. In order to control public use, the non-Federal parties may fence about one mile along the northern boundary of selected parcel 1; two miles along the northern boundary of selected parcels 2 and 3; about four miles along the southern boundary of selected parcels 14-17; and one mile along the western boundary of selected parcel 18 and eastern boundary of selected parcel 34. By agreement between the BLM and non-Federal parties, fences would be built to meet BLM wildlife protection standards.

- Current use of both the offered and selected parcels for livestock grazing would continue.
- The non-Federal parties would retain ownership of the selected parcels.
- Valid existing rights on the proposed exchange parcels must be recognized and Tooele County and/or BLM would continue to maintain roads as in the past.

Even though future oil and gas exploration and development could potentially occur on the 13,605 acres of non-Federal lands where the oil and gas resources would not be acquired by the United States, it is assumed that there would be no future oil and gas development on the proposed exchange parcels because the potential for development is low and there is no history of exploration or discovery

Prior to the exchange, the community pit designation for a landscape rock site on selected parcel #19 would be modified by the BLM to eliminate the portion west of the highway. Public use of the pit would continue as at present east of the highway.

With the possible exception of continued intermittent mining of diatomaceous earth on Parcel 9, the most likely mineral to be developed is sand and gravel, and the non-Federal parties would be transferring this resource to the United States on 93 percent of the non-Federal lands in the exchange. Therefore, it is assumed that there would be no expansion of mining on any of the exchange parcels.

In summary, it is assumed that no major developments including oil and gas development, mining, or commercial subdivision of private land would occur.

## **4.3 DIRECT AND INDIRECT IMPACTS**

Direct effects are caused by the action and occur at the same time and place. Indirect effects are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. The short-term is within two years following the exchange of ownership. The long-term would from two to 10 years.

### **4.3.1 Proposed Action**

### **4.3.2 Cultural Resources**

The selected lands are known to possess 18 sites eligible to the NRHP ranging from prehistoric camp sites to historic roads. When lands are exchanged out of Federal ownership, private surface resources like cultural resources lose the protection afforded by Federal laws. Therefore, Transfer of public historic properties to private ownership is an undertaking that results in an adverse effect (36 CFR 800.9 (b) (5)).

Based on the types of sites identified, it is anticipated that the sites would be adequately mitigated. A formal research design and mitigation plan will be prepared in coordination with the SHPO (Appendix E). Required mitigation could include such actions as photo documentation, archaeological site testing, and data recovery. Each site will be evaluated individually to determine appropriate mitigation. If impacts cannot be effectively mitigated, all or part of the selected Federal parcels where NRHP eligible site are located may be eliminated from the exchange.

Required mitigation would be completed prior to disposal of any of the affected Federal parcels. The non-Federal parties would fund implementation of the mitigation plan necessary to protect cultural resources.

Any cultural resources on the offered parcels would receive protection under Federal cultural resource laws. A Class III cultural inventory has not been done for the offered parcels. Including the historic roads or trails, there is the potential for the occurrence of significant cultural sites on the non-Federal lands in the exchange. It is known that under the proposed action, an important segment of the Pony Express National Historic Trail and a monument and small segments of the Hasting's Cutoff of the California trail would receive the protection of Federal law.

Because there are no reasonably foreseeable future ground disturbing actions and livestock use would continue as at present, direct and indirect impacts on cultural resources on either the selected or offered lands would be minimal.

### 4.3.3 Fire and Fuels Management

Acquisition of the scattered non-Federal parcels, 19 of which are completely surrounded by Federal lands, would simplify the BLM's fire prevention efforts consisting of vegetative treatments designed to reduce fuel loads by protecting or improving the salt desert shrub vegetative communities in this part of the Great Basin.

Disposal of the Federal lands located around the small community of Terra would reduce the BLM's costs associated with fuel reduction projects designed to protect the community. Fuel breaks created by BLM at Round Canyon and near Terra would no longer be managed by BLM. However, because of the need to protect Federal lands north and east of Terra, BLM would still be involved in fire suppression under agreement with the private land owners including the non-Federal parties. The non-federal parties would become responsible for any fuel reduction projects on their newly acquired lands but fire frequency and severity would not increase until fuel loads increase on existing fuel brakes (20 + years) because fuel loads have been reduced by existing vegetation treatments.

### 4.3.4 Invasive Species/Noxious Weeds

BLM would acquire some parcels of land that are currently invaded by knapweed and would have to take measures to eliminate or reduce the spread of knapweeds. Because this area is already part of a knapweed demonstration area and CWMA, BLM and Tooele County and other partners cooperate in weed management and control. It is anticipated that there would be only minimal increases in weed control costs for BLM and that spread of knapweed on the lands acquired by BLM would be controlled.

### 4.3.5 Livestock Grazing

The proposed land exchange would have minimal impact on the number of public land AUMs allocated by BLM on the allotments within the analysis area. The principle entities which hold permits on these allotments are the non-Federal parties to the land exchange. Table 4-1 includes the proposed changes to the Federal allocations for the allotments listed above in Chapter 3.

**Table 4-1. Changes to BLM Grazing Ownership and Allocations**

Permit	Allotment	Current AUMs	Change in Federal Acres	Change in Federal AUMs
4302018	Skull Valley	14,335	+2,098	+114
4300329	South Skull Valley	8,824	-1,687	-168
4300329	South Skull Valley	367	0	0
4302018	Salt Mountain	782	-1,239	-64

Permit	Allotment	Current AUMs	Change in Federal Acres	Change in Federal AUMs
4302006	Salt Mountain	68	0	0
4300329	Lost Creek	179	-1,386	-70
4300329	Onaqui Mtn. West	1,147	+1,696	+89
4300690 (lease)	Riverbed	666	+641	+9
	Pony Express Trail	0	+118	0
<b>Net Change</b>		<b>0</b>	<b>+241</b>	<b>-90</b>

There would be no negative impacts associated with forage availability or to permit holders. The number of permitted livestock and the seasons of use would not change as a result of the proposed exchange. General agreement has been reached with the non-Federal parties on the proposed changes in their grazing permits.

Although BLM would acquire water rights at Slater Springs on the Onaqui Mountain West Allotment, water would still be made available to permitted livestock. All other water sources and range improvements on the affected allotments are owned by the non-Federal parties and use of the improvements would continue as at present.

### 4.3.6 Mineral Resources

Assuming that the 3,324.77 acres of diatomaceous earth on the offered parcels cannot be considered a locatable mineral, BLM would acquire only 176 acres of locatable mineral ownership in the exchange. The non-Federal parties would acquire all of the Federal mineral ownership on the selected lands including 3,324.77 acres of diatomaceous earth. All of the offered lands except for the 598 acres within the Cedar Mountains WA would be opened to mineral entry 90 days of the completion of the exchange.

Of 143 acres of non-Federal land prospectively valuable for geothermal, potassium, and sodium, the United States would acquire the mineral interests on 123 acres (the United States already owns the minerals on the remaining 20 acres). The net loss of prospectively valuable minerals would be 604 acres for geothermal and 365 acres for sodium and potassium. The sodium and potassium minerals are not exposed at the surface, but are generally beneath a cover of alluvial and lacustrine sand, gravel and clay. It is not likely that any development of sodium and potassium minerals would occur with or without the exchange. Development of the geothermal resources also would be unlikely to occur because of the relatively low water temperatures.

Therefore, even though there would be a net loss of acreage with prospectively valuable geothermal, sodium or potassium there would not be an actual loss of production or development.

The exchange would result in the net loss of 13,144.76 acres of Federal land considered prospectively valuable for oil and gas. Since there have been no discoveries or production of oil and gas in the past, the potential for development is considered low. Therefore, even though



there would be a loss of acreage with some potential for oil and gas, the Federal government would likely not lose any producible oil or gas.

The non-Federal parties would transfer 3,324 acres of diatomaceous earth to BLM but would acquire ownership of about 1,080 acres including a 5-acre pit that has been mined in the past. Over all, BLM would gain about 2,244.72 acres of diatomaceous earth. These lands would be available for mineral entry or mineral material sale depending on intended use under the terms of the Pony Express RMP, but the value of the diatomaceous earth deposits on the lands acquired by BLM has not been demonstrated.

Large deposits of sand and gravel resources associated with Lake Bonneville shorelines are found on 5,045 acres of the selected Federal lands (parcels 1-4, 20-27, and 35), and 8,123 acres of the offered non-Federal lands (parcels 2, 3, 5, 7-17, 19, 20, 24, 25, 29, 30, 33-37, and 40). Of the 8,123 non-Federal acres, the United States would acquire the sand and gravel resources on 7,783 acres (the United States owns the sand and gravel on 20 acres and the remainder are presumed to have been reserved by previous landowners). This would result in a net BLM gain of 2,738 acres with sand and gravel resources. Whether or not these resources would ever be developed depends on market driven factors. Because the amount of sand and gravel resources in the area is so vast on both the Federal and non-Federal lands in Skull Valley, only those resources closest to existing transportation routes would even be considered for development in the foreseeable future. Currently there are large deposits of sand and gravel much closer to developing areas such as the Tooele Valley and to Interstate Highway 80 than those associated with the exchange parcels. Therefore, availability of sand and gravel for economic return to the Federal government or private land owners from excavation or use of sand and gravel is not anticipated. With the possible exception of the intermittent mining of diatomaceous earth on Parcel 9, the most likely mineral to be developed is sand and gravel, and the non-Federal parties would be transferring this resource to the United States on 93 percent of the non-Federal lands in the exchange. Sand and gravel would be made available for sale under the terms of the Pony Express RMP.

#### **4.3.7 Recreation**

Dispersed camping, hunting, target shooting, and off-road vehicle use are the primary recreation activities in the proposed exchange area. By acquiring the offered parcels 1-40, BLM would consolidate public land holdings in the project area and improve its ability to provide more effective management of recreational activities, public access, visitor services, law enforcement, and mitigation of associated resource impacts within these lands.

Offered parcel 37 (10.68 acres) on the western foothills of the Stansbury Mountains is part of the South Skull Valley Cooperative Wildlife Management Unit (CWMU) where private land owners presently offer about ten buck deer and three buck pronghorn antelope permits per year to the public through UDWR drawings or purchase of permit vouchers from the land owners. Selected parcels 23-26 (1,360 acres) are contiguous with the South Skull Valley CWMU. Offered parcels 33-37 (142.82 acres) are also on the western foot hills of the Stansbury Mountains and are included with private lands where the private land owners offer deer and pronghorn hunting permits to the public. Selected parcels 1 and 19-26 (2,815.81 acres) are contiguous with these private hunting areas.

The proposed exchange would make about 1,360 acres of additional private lands available for incorporation into the South Skull Valley CWMU and would make 1,555.81 additional acres of private lands available for incorporation into a CWMU. These lands would be unavailable to the general public for hunting. However, BLM would acquire offered parcels 33-37 (142.82 acres) and lands in other areas such as offered parcels 1-31. Overall, BLM would acquire 3,500 acres near the Onaqui and Cedar Mountains that would become available for hunting by the public.

The Pony Express station, monument and dog cemetery on offered parcel 28 would come under BLM management. This is a specific recreation destination that is heavily utilized by the public. BLM would have more control over use and preservation of these features and could improve overall visitor use management and service delivery to the public.

Selected parcels 19, 20, and 22 would come under private ownership, and the public would no longer have access for viewing the historic trail traces of the Hastings Cutoff of the California National Historic Trail within these parcels.

BLM acquisition of offered parcels 30, 32, 38 and 39 within or adjacent to the Cedar Mountains WA would make it possible for BLM to ensure public access and use. BLM would be able to manage them specifically to preserve their outstanding opportunities for primitive and unconfined recreation including hiking, backpacking, sightseeing, photography and hobby rock collecting.

The selected Federal parcels and intermingled non-Federal parcels in the vicinity of Terra that are presently used by the public for OHV activity, hunting, target shooting, horseback riding and general recreation would no longer be accessible by the public. The residents of Skull Valley who use these lands as a readily accessible recreational opportunity would have to shift their use to other public lands. Generally, they would have to travel only an additional 1-2 miles to access public lands.

With additional fencing, the private lands could be distinguished from the Federal lands and it would be easier for both the BLM and the non-Federal parties to control use and enforce restrictions to protect other resources and uses.

Several of the Federal parcels are crossed by roads used by the public to access the Stansbury Mountains managed by the Wasatch/Cache National Forest. Because the public would still be able to use these roads, recreation use on the Forest would not be affected.

Public use and access to the Lincoln Highway would not be affected because the road would still be available to the public and there are no interpretive sites or other specific points of interest along the Lincoln Highway in the exchange parcels. There are no reasonably foreseeable actions in the Skull Valley area that would change the setting of the Lincoln Highway.

#### **4.3.8 Special Status Animal Species including Migratory Birds**

In general there would be no measurable effects on Special Status animal species including migratory birds because similar acreages of similar habitats would be exchanged. A MOU between BLM and the non-Federal parties have been signed allowing access to the selected

Federal lands by RINS and other BLM volunteers to monitor and to survey for wildlife after the land exchange and the MOU will be available at the BLM Salt Lake Field Office. Without permission from the non-Federal parties, RINS and other BLM volunteers would be restricted to use of roads for their raptor surveys and it would be difficult to gather sufficient information to ensure protection of raptors.

Additionally, the reasonably foreseeable use of both the offered and selected lands would continue to be livestock grazing and dispersed recreation as at present. The protection afforded to special status species under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act would apply to private as well as Federal lands and there are no anticipated activities that would directly destroy nests, eggs or juvenile migratory birds that cannot fly away.

One bald eagle winter roost is located on the offered lands and management would come under BLM jurisdiction. At least one active Golden eagle nest is on the selected lands and would be transferred out of BLM management. BLM would acquire and manage about 226.6 acres of occupied sage grouse habitat. None of the selected lands that would leave Federal ownership have occupied sage grouse habitat.

There are 22 identified raptor nests on the selected parcels that would be transferred to private ownership and 6 on the offered lands that would be placed under BLM management. Therefore, BLM would manage 16 fewer known nests than at present. No impacts on nesting raptors are expected because there are no reasonably foreseeable activities other than grazing that would occur within 1.5 miles of the nests during the breeding season.

#### **4.3.9 Special Status Plants (Pohl's milkvetch)**

Three parcels that contain habitat for Pohl's milkvetch would be conveyed from Federal to private management. Private ownership of the habitats would restrict OHV use and offer some protection to plants. The only activity anticipated for these habitat areas is continuation of livestock grazing. There are no other identified or reasonably foreseeable future uses that would affect Pohl's milkvetch. Nevertheless, with private ownership there would be no Federal protection for the Pohl's milkvetch plants in Skull Valley. The FWS recommends that BLM consider retaining lands that contain occupied and suitable habitats for Pohl's milkvetch or until analysis is completed to show the areas proposed for exchange are not needed for the long term viability of the species (Appendix F).

#### **4.3.10 Water Rights**

The exchange would result in the acquisition of a water right (#16-10) at Slater Springs. This spring is a valuable watering source for the wild horse herds, wildlife such as mule deer, pronghorn, upland game birds, and Rocky Mountain elk. Besides water right #16-10, there would be no change in ownership or impacts on the use of the ten other water rights on the selected non-Federal lands. One is held by a private party not involved in the exchange (water right #16-800 held by Clean Harbors), two are held by the United States (water rights #16-162 and #16-775), and the remaining seven are held or controlled by the non-Federal parties and would be retained by them. However, BLM would be acquiring land without ownership of water to meet multiple use purposes.

There are no water rights associated with the selected Federal lands, except for one held by a third party on Parcel 13 #16-738 that existed prior to acquisition of the parcel by the United States. The water right has not been in use for many years, but still appears on the State Water Engineer's records. The non-Federal parties will be made aware of the water right and may choose to pursue abandonment proceedings.

#### 4.3.11 Wildlife (excluding Special Status Species)

In general there would be no measurable effects on wildlife habitats or populations because similar acreages of similar habitats would be exchanged and the reasonably foreseeable use of both the offered and selected lands would continue to be livestock grazing and dispersed recreation as at present

Big game species include mule deer, elk and pronghorn. Big game habitats on the selected and offered lands as classified by the UDWR are shown on Map 4 and detailed in Table 4-2.

**Table 4-2. Big Game Habitats**

Habitat Type	Offered Private Lands (acres)	Selected Federal Lands (acres)
Crucial Mule Deer Winter/Spring/Fall Range	3036	1454
Substantial Value Mule Deer Range	827	0
Crucial Elk Winter/Spring Range	108	2746
Substantial Value Elk Winter Range	0	102.8
Pronghorn Crucial Range	12,110	10,770

Source: Utah Division of Wildlife Resources

As discussed in the recreation section of this EA, selected parcels 1 and 21-26 along the western side of the Stansbury Mountains are adjacent to a CWMU where private land owners presently offer about 15 deer and 2 pronghorn antelope permits per year to the public through the UDWR drawing process or purchase of a permit voucher. The proposed exchange would make about 2,361 acres of additional private lands available for incorporation into the CWMUs and would make these lands unavailable to the general public for hunting. However, BLM would acquire lands in other areas such as the 19.26 acres in offered parcel 36 and 3,500 acres near the Onaqui and Cedar Mountains that would become available for hunting by the public. Over all, the exchange would be consistent with the objectives of Executive Order 13443 requiring that Federal agency-actions serve to expand or enhance hunting opportunities and the management of game species and their habitat and would consolidate the BLM-administered acreage to provide better managed public access and an increased efficiency in any future habitat maintenance or improvement projects.

### 4.3.12 Wilderness and Wilderness Characteristics

The exchange would result in the acquisition of four offered parcels (30, 32 and 38, and 39), of which approximately 598 acres are within the Cedar Mountains WA designated by Congress on January 6, 2006 under Section 384 of PL 109-163 (Map 1). These parcels contain important wilderness values and those portions that are within the exterior boundary of the WA would automatically become part of the WA when acquired. Federally-owned minerals within the WA would be withdrawn from all forms of entry. However, the State of Utah owns the mineral interest (except for sand and gravel) on parcel 30, of which approximately 65 acres are within the WA. Based on the mineral potential report, this parcel is prospectively valuable for oil and gas. Because no development has occurred anywhere in this part of the Great Basin and the potential for future development is considered low, there is little potential for impacts on wilderness characteristics of the WA from locatable mineral development. As the surface owner, the BLM also could work with the lessee to minimize surface disturbance and it is possible that development of the 65 acres could be accomplished through directional drilling techniques elsewhere on the parcel without causing surface impacts within the WA.

There is a water well, tank, pipeline, powerline, and other ancillary facilities on Parcel 32, which is entirely within the WA. The well is operated cooperatively by the non-Federal parties and another party (Clean Harbors) under an agreement and each party holds and will retain their water right (#16-800 and #16-801). As a valid existing right, these facilities would remain in maintained use within the WA should this parcel come under BLM control.

The non-Federal parties plan to reserve an easement for access to and maintenance of the well and storage tank on this parcel. The powerline easement held by PacifiCorp follows the alignment of the access road that would be “cherry-stemmed” from the WA. BLM would prepare and transmit a map of the Cedar Mountain WA with the cherry-stem to Congress, pursuant to Section 384(c) of PL 109-163. In the interim, the easement would be managed as pre-existing use and grand-fathered rights. The easement would be reviewed by the BLM and the Solicitor to ensure that the terms and conditions will be administratively acceptable. The continued use of the well would occupy approximately five acres of land and would not adversely affect the BLM’s ability to manage the remaining acreage as wilderness. Acquisition of the four parcels would enhance the BLM’s ability to restrict OHV activity and other non-compatible uses in the WA that is currently occurring on the private land.

Five offered parcels and the surrounding lands in the Onaqui Mountains would be inventoried to determine if they possess wilderness characteristics. If the inventory shows that wilderness characteristics are present, BLM would analyze the impacts of future proposals on wilderness characteristics and weigh wilderness values along with other resource impacts values of a proposed action as decisions are made. At this time there are no reasonably foreseeable future proposals that would affect the existing character of these parcels.

No lands within designated wilderness, WSAs or lands that may possess wilderness characteristics would be transferred to private ownership.

### **4.3.13 Wild Horse Herd Management Areas**

The exchange would result in the acquisition of over 12,200 acres of lands considered part of the Cedar Mountain and Onaqui Mountain Wild Horse HMAs. These HMAs (shown on Map 5) are heavily used by, and important to, the wild horse population of the area. The land to be acquired would include an additional water source at Slater Springs and important habitat within wild horse yearlong range, which would help insure the long term sustainability of these wild horse herds. The exchange would transfer approximately 2,840 acres within the Onaqui Mountain HMA to private ownership; however, this particular acreage is considered to be some of the poorest range in the HMA and is rarely used by wild horses. The overall result would be a net gain of over 9,360 acres of wild horse range within the affected HMAs.

#### **4.3.13.1 Mitigation Measures**

A cultural resources mitigation plan (Appendix E) will identify specific measures to minimize or avoid the impacts of the proposed land exchange on cultural Resources.

In order to ensure sufficient water for multiple use purposes, additional water rights could be transferred from the non-Federal parties to the BLM.

To ensure that nesting raptors and sensitive species will be inventoried and protected, the land exchange could be made subject to an agreement with the non-Federal parties that nests will be protected and not disturbed. A MOU between BLM and the non-Federal parties has been signed allowing access to the selected federal lands by RINS and other BLM volunteers to monitor and to survey for wildlife after the land exchange and the MOU will be available at BLM Salt Lake Field Office.

The BLM and the non-Federal parties have developed a Prioritized List of Parcels for Elimination to Equalize Values or Avoid Impacts on Resources (Appendix C). All or part of specific parcels could be eliminated from the exchange in order to mitigate impacts on resources.

#### **4.3.13.2 Residual Impacts**

With the mitigation measures identified above, the risks to cultural resources and nesting raptors from private land ownership would be reduced. Other specific impacts could be avoided by eliminating all or part of specific parcels from the land exchange as outline in the Prioritized List of Parcels for Elimination (Appendix C).

#### **4.3.13.3 Monitoring and/or Compliance**

No requirements for future monitoring of effects or specific requirements for compliance with any regulations or laws are included in the terms of the proposed land exchange. The land exchange would not alter any authorities or responsibilities of the BLM or non-Federal parties with respect to compliance with laws or regulations.

#### 4.3.14 Alternative B – No Action

With this alternative the proposed exchange would not take place. Existing and potential land uses on the federal lands would remain the same and the need for the exchange would not be met. Uses of the non-federal lands could change if the lands were sold to another party.

Eighteen known National Register Eligible cultural resource sites would remain under BLM management and would not be adversely affected. However, the Pony Express station, monument, and dog cemetery on offered parcel 28 would remain in private ownership with an uncertain future. Historic trail remnants or ruts on the Hastings Cutoff-California NHT within selected parcels 19, 20, and 22 would remain under BLM management and protection of federal laws.

The BLM would have to continue to work around private lands while conducting fire prevention efforts such as fuels reduction projects and would remain responsible for maintenance of fuel reduction projects west of Terra.

Noxious weed control responsibilities would remain as at present. Areas known to be invaded by knapweed, which is classified as a noxious weed, would remain in private ownership and the non-Federal parties would be responsible for control.

Livestock forage allocations and grazing practices would remain as at present.

The mineral estate also would remain as a present. Intermittent mining of diatomaceous earth would occur on offered parcel 9. Development or use of other minerals including sand and gravel are not expected.

Dispersed recreation including camping, hunting, target shooting, and OHV use would continue on the exchange parcels with uncontrolled trespass and OHV access to the private parcels. Vandalism and damage to the private lands would continue. The Pony Express station and ancillary facilities would remain in private ownership and would be subject to future changes in management. BLM would forego the opportunity to ensure future protection of this nationally important historical and recreation site.

Habitat for special status animals including bald and golden eagles, sage grouse and migratory birds and BLM Special Status Species would remain under present management. BLM would lose the opportunity to acquire and manage 226.6 acres of occupied sage grouse habitat.

The only known populations of Pohl's Milkvetch, a BLM sensitive plant species, would remain in Federal ownership and under BLM protection.

Water rights would be held in present ownership. Slater Springs on parcel 6 would remain in private ownership under the beneficial use status of irrigation. The opportunity for BLM to obtain the water right for the spring and change the beneficial use class to livestock and wildlife would be foregone. BLM would not be able to ensure that water would remain available for livestock, wildlife and wild horses.

Big game crucial range would remain under present ownership and management. The about 2,746 acres of elk crucial winter/spring range would remain under BLM management, but BLM would lose the opportunity to increase Federal ownership and management of crucial mule deer winter/spring/fall range by 1,582 acres and pronghorn crucial range by 1,340 acres.

The opportunity for BLM to acquire and manage 598 acres of private land in the Cedar Mountains WA for protection of wilderness character would be foregone. Future activities on the private land could be incompatible with protection of the WA.

BLM would lose the opportunity to exchange 2,840 acres of poor quality wild horse range for 12,200 acres of high quality heavily used range. A net gain of 9,380 acres of BLM managed wild horse range would not occur.

## 4.4 CUMULATIVE IMPACTS ANALYSIS

“Cumulative impacts” are those impacts resulting from the incremental impact of an action when added to other past, present, or reasonably foreseeable actions regardless of what agency or person undertakes such other actions.

The proposed exchange would result in a cumulative increase of 342.58 acres of Federal land managed by the BLM. The Federal lands acquired by the non-Federal parties may have slightly more potential for use than the non-Federal lands that would transfer to the BLM since many parcels are closer to existing development and have better access, whereas most of the non-Federal parcels are scattered farther out in more remote locations.

However, because the proposed land exchange is essentially an administrative action and does not involve any change agents that accompany other land use authorizations such as surface disturbance, construction, operation or maintenance activities, land uses will in most cases remain the same. The predominant use of the selected Federal lands is grazing and dispersed recreational activities that include OHV use, hunting, camping, hiking, etc. The predominant uses of the offered non-Federal lands are also grazing and dispersed recreation, similar to the Federal lands.

Under the Tooele County General Plan, offered Parcel 19 is currently zoned A-20, requiring 20 acres for development; Parcel 37 is zoned MG-EX zone, which would allow for development of extractive mineral operations such as sand and gravel quarries. The remaining non-Federal lands are zoned as multiple use (MU-40), requiring 40 acres for development. These lands would come under Federal ownership and would be managed according to the Pony Express RMP as described in Chapter 2 of this EA. The selected Federal lands would come under private ownership and would be subject to local planning as either agricultural or multiple use lands.

Once land is transferred to non-Federal ownership, it could be available for a variety of uses allowable under State and Local law. However, neither the BLM, the non-Federal parties or public have identified any specific plans for projects or large scale changes in the use of the parcels they acquire. There is limited commercial development and no industrial development in Skull Valley. Residents must commute to Tooele Valley for goods and services. The limited infrastructure, population and services in the valley are not supportive of growth in commercial



or industrial uses (Tooele County 20-11). There are no other pending land exchanges in Skull Valley or reasonably foreseeable projects on the state, private or Federal lands near the proposed exchange parcels. Therefore, any cumulative increment of impact on the physical or biological environment would be small.

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## 5.0—CONSULTATION AND COORDINATION

### 5.1 INTRODUCTION

The issue identification section of Chapter 1 identifies those issues analyzed in detail in Chapter 4. The ID Team Checklist provides the rationale for issues that were considered but not analyzed further. The issues were identified through the public and agency involvement process described in sections 5.2 and 5.3 below.

### 5.2 PERSONS, GROUPS, AND AGENCIES CONSULTED

**Table 5-1. List of Persons, Agencies and Organizations Consulted**

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
USAF – Hill AFB – UTTR Lt Col. Chris Martin	Concerns relative to UTTR and MOA	No concerns for USAF operations in the project area.
Utah Geological Survey	Potential Earthquake Hazards	None noted relative to this project
Utah State Historic Preservation Office (SHPO)	Consultation as required by the American Indian Religious Freedom Act of 1978 (42 USC 1531) and NHPA (16 USC 1531)	
Native American Consultation	Consultation as required by the American Indian Religious Freedom Act of 1978 (42 USC 1531), Native American Graves and Repatriation Act (NAGPRA) and NHPA (16 USC 1531). Consistency with Tribal Plans as required by FLPMA Section 202(c)(9) and NEPA Section 102(C). Invitation for Section 106 Consulting Party Status.	Tribes were notified of the proposed exchange by letter dated December 3, 2009. No concerns have been expressed.
Tooele County Commission	Consistency with local plans as required by FLPMA Section 202(c)(9) and NEPA Section 102(C).	
Utah Public Lands Office	Consistency with local plans as required by FLPMA Section 202(c)(9) and NEPA Section 102(C).	
Livestock Grazing Permittees	Notification required by FLPMA Section 402(g).	

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Southern Utah Wilderness Alliance	Invitation for NHPA Section 106 Consulting Party Status	
Wild Utah Project	Invitation for NHPA Section 106 Consulting Party Status	
Lincoln Highway Association	Invitation for NHPA Section 106 Consulting Party Status	
National Pony Express Association	Invitation for NHPA Section 106 Consulting Party Status	
Advisory Council on Historic Preservation	Invitation for NHPA Section 106 Consulting Party Status	
Iosepa Historical Society	Invitation for NHPA Section 106 Consulting Party Status	

### 5.3 SUMMARY OF PUBLIC PARTICIPATION

Notice of the exchange proposal (NOEP) was published in the Tooele Transcript-Bulletin four separate times on August 27, 2009; September 3, 2009; September 10, 2009; and September 17, 2009. Appendix G contains the distribution list for the NOEP. Scoping input received in response to the publication of the NOEP is available at the field office.

The proposed exchange was posted on the Utah BLM ENBB on September 29, 2009. A thirty day comment period was allowed and this period ended October 28, 2009. Notice of the proposed exchange was posted again in local newspapers in November, 2011. A public scoping meeting was held at the Tooele County Building on November 14, 2011 and comments were accepted until November 30. All comments by the public were considered by the ID Team during the identification of issues and alternatives addressed in this EA. Public comments dealt mainly with road access and general accessibility for the parcels including access for recreation; control of OHV use on private lands not held by the parties to the exchange; impacts on the Lincoln Highway; assessment of potential future use and development potential; livestock grazing and potential for toxic and hazardous materials. All of the identified issues are addressed in the EA and ID Team Checklist and are on file with the BLM

## 5.4 LIST OF PREPARERS

### 5.4.1 BLM

**Table 5-2. List of BLM Preparers**

<b>Name</b>	<b>Title</b>	<b>Responsible for the Following Section(s) of this Document</b>
Michael G. Nelson	AFM Non-Renewable Resources – Team Lead	Description of Proposed Action and Alternatives Description of General Setting Land Use\Access
Dale Earl	Archaeologist	Cultural Resources – Native American Concerns
Dylan Tucker	Rangeland Management Specialist	Livestock grazing
Teresa Rigby	Fire Mitigation – Education Specialist	Fuels and Fire Management
Anthony Von Niederhausern	Rangeland Management Specialist	Invasive Plant Species\Noxious Weeds
Traci Allen	Wildlife Biologist	Migratory Birds
Rodd Hardy	Monitoring Specialist – T & E Plant Species	BLM Sensitive Plant Species
Ray Kelsey	Outdoor Recreation Planner	Recreation and Wilderness
Cindy Ledbetter	Planning and Environmental Specialist	Quality Control\Review
David S. Watson	Realty Specialist	EA Document Preparation and Content
Larry Garahana	Geologist	Mineral Resources

### 5.4.2 Non-BLM Preparers

**Table 5-3. List of Non-BLM Preparers**

<b>Name</b>	<b>Title</b>	<b>Responsible for the Following Section(s) of this Document</b>
Gregory F. Thayn	Environmental Specialist, GT Environmental	Document preparation and technical coordination
G. William Lamb	Project Manager, Lamb Consulting	Data Gathering, Document Preparation

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## ABBREVIATIONS AND ACRONYMS

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APE	Area of Potential Affect
AUM	Animal Unit Month
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CWMA	Cooperative Weed Management Area
CWMU	Cooperative Wildlife Management Unit
DEIS	Draft Environmental Impact Statement
DR	Decision Record
EA	Environmental Assessment
EIS	Environmental Impact Statement
ENBB	Environmental Notification Bulletin Board
EO	Executive Order
ESA	Endangered Species Act
FLPMA	Federal Land Policy and Management Act of 1976
FLEFA	Federal Land Exchange Facilitation Act of 1988
FS	United States Forest Service
FO	Field Office
FONSI	Finding of No Significant Impact
FR	Federal Register
FWS	U.S. Fish and Wildlife Service
I-80	Interstate 80
HMA	Herd Management Areas
Hwy-166	Utah Highway 166
Hwy-199	Utah Highway 199
ID	Interdisciplinary
LLC	Limited Liability Company
LUP	Land Use Plan
MBTA	Migratory Bird Treaty Act
MOU	Memorandum of Understanding



NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NHT	National Historic Trail
NOEP	Notice of Exchange Proposal
NRCS	U.S. Natural Resource Conservation Service
NRHP	National Register of Historic Places
OCTA	Oregon-California Trail Association
OHV	Off-Highway Vehicle including cars, trucks, four-wheelers and motorcycles
RINS	Raptor Inventory Nest Survey
RFD	Reasonably Foreseeable Development Scenario
RMP	Resource Management Plan
SHPO	State Historic Preservation Officer
SLFO	Salt Lake Field Office
T&E	Threatened and Endangered
UDWR	Utah Division of Wildlife Resources
UNHP	Utah Natural Heritage Program
U.S.	United States
USDA	U.S. Department of Agriculture
USDI	U.S. Department of the Interior
WSA	Wilderness Study Area
WA	Wilderness Area
WO	Washington Office

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# APPENDICES



# APPENDIX A—LEGAL DESCRIPTIONS OF FEDERAL AND NON-FEDERAL LAND TO BE EXCHANGED

## SKULL VALLEY EXCHANGE—UTU-81900

Table A-1. Federal Selected Lands

Legal Description		Parcel #	Acreage
<b>T. 3 S., R. 7 W., SLM</b>			
	Sec. 6, All	1	640.96
<b>T. 5 S., R. 7 W., SLM</b>			
	Sec. 29, All	2	640.00
	Sec. 30, All	3	642.72
	Sec. 31, Lots 1, 2, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$	4	401.44
	Sec. 33, SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$	5	240.00
<b>T. 6 S., R. 7 W., SLM</b>			
	Sec. 4, Lots 2-4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	6	234.92
	Sec. 5, All	7	637.34
	Sec. 6, Lots 5-7, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$	8	241.35
	Sec. 7, Lots 1-3, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$	9	602.16
	Sec. 10, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$	10	80.00
	Sec. 14, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$	11	80.00
	Sec. 15, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$	12	600.00
	Sec. 18, Lots 2-4, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$	13	600.21
	Sec. 19, All	14	639.76
	Sec. 20, All	15	640.00
	Sec. 21, All	16	640.00
	Sec. 22, All	17	640.00
	Sec. 30, Lots 6, 8 9, 12	18	77.55
<b>T. 2 S., R. 8 W., SLM</b>			
	Sec. 13, Lots 2,3,6	19	37.49
	Sec. 34, S $\frac{1}{2}$	20	320.00
	Sec. 35, N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$	21	120.00
<b>T. 3 S., R. 8 W., SLM</b>			
	Sec. 1, Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$	22	239.93

Legal Description		Parcel #	Acreage
<b>T. 4 S., R. 8 W., SLM</b>			
	Sec. 10, S½	23	320.00
	Sec. 11, S½	24	320.00
	Sec. 14, N½	25	320.00
	Sec. 15, N½, N½SW¼	26	400.00
<b>T. 6 S., R. 8 W., SLM</b>			
	Sec. 10, Lots 1, 4, E½SW¼	27	131.83
	Sec. 12, N½, N½S½, S½SW¼	28	560.00
	Sec. 13, All	29	640.00
	Sec. 14, E½E½	30	160.00
	Sec. 15, Lot 1, NE¼NE¼	31	63.79
	Sec. 22, Lots 1, 4, 5, 8, W½E½, E½W½, SE¼	32	464.29
	Sec. 24, N½, N½S½, S½SE¼	33	560.00
	Sec. 25, Lots 2, 3, 5, NE¼, S½NW¼, SW¼, NW¼SE¼	34	503.32
	Sec. 27, Lots 1, 4, 5, 8, E½, E½W½	35	520.09
<b>Aggregating approximately 13,959.12 acres</b>			

Table A-2. Non-Federal Offered Lands

Legal Description		Parcel #	Acreage
<b>T. 6 S., R. 6 W., SLM</b>			
	Sec. 18, Lot 3	1	33.74
<b>T. 5 S., R. 7 W., SLM</b>			
	Sec. 35, E½NW¼, NE¼SW¼	2	120.00
<b>T. 6 S., R. 7 W., SLM</b>			
	Sec. 26, Lot 3, NE¼SW¼	3	96.51
	Sec. 32, All	4	640.00
	Sec. 35, S½NE¼	5	80.00
	Sec. 36, All	6	640.00
<b>T. 7 S., R. 7 W., SLM</b>			
	Sec. 2, All	7	638.79
	Sec. 15, W½	8	320.00
	Sec. 16, All	9	640.00
	Sec. 22, NW¼, N½SW¼, SE¼SW¼	10	280.00
	Sec. 29, All	11	640.00
	Sec. 32, All	12	640.00

Legal Description		Parcel #	Acreage
	Sec. 33, W½	13	320.00
	Sec. 34, S½SE¼	14	80.00
	Sec. 35, SW¼SW¼	15	40.00
<b>T. 8 S., R. 7 W., SLM</b>			
	Sec. 3, Lots 2-4, S½NW¼	16	200.38
	Sec. 4, Lots 1-4, S½N½	17	317.04
	Sec. 13, NW¼SE¼, S½SE¼	28	120.00
<b>T. 2 S., R. 8 W., SLM</b>			
	Sec. 13, All lands East of S.R. 196 in SW¼SE¼	33	2.54
	Sec. 24, All lands East of S.R. 196 in W½NE¼	34	51.28
	Sec. 35, All lands West of S.R. 196 in NE¼NE¼, SW¼NE¼	35	19.90
<b>T. 3 S., R. 8 W., SLM</b>			
	Sec. 10, All lands East of S.R. 196 in SW¼NE¼, NW¼SE¼	36	15.34
	Sec. 15, All lands East of S.R. 196 in SW¼SW¼	37	11.92
<b>T. 5 S., R. 8 W., SLM</b>			
	Sec. 24, All	40	640.00
	Sec. 32, All	18	640.00
<b>T. 6 S., R. 8 W., SLM</b>			
	Sec. 15, All lands West of S.R. 196 in SW¼NW¼, W½SW¼	19	42.85
	Sec. 16, All	20	640.00
	Sec. 36, All lands South and East of S.R. 199 in section	21	482.00
<b>T. 7 S., R. 8 W., SLM</b>			
	Sec. 32, All	22	640.00
	Sec. 36, All	23	640.00
<b>T. 3 S., R. 9 W., SLM</b>			
	Sec. 8, All lands west of county maintained road in SW¼SW¼	38	17.35
	Sec. 17, All lands west of county maintained road in NW¼NW¼	39	28.27
	Sec. 32, N½, N½S½	30	480.00
<b>T. 4 S., R. 9 W., SLM</b>			
	Sec. 32, N½, N½S½	29	480.00
<b>T. 5 S., R. 9 W., SLM</b>			
	Sec. 16, All	24	640.00
	Sec. 32, All	25	640.00
	Sec. 36, All	26	640.00

Legal Description		Parcel #	Acreage
<b>T. 9 S., R. 10 W., SLM</b>			
	Sec. 36, All	27	640.00
<b>T. 1 S., R. 10 W., SLM</b>			
	Sec. 32, All	31	640.00
<b>T. 2 S., R. 10 W., SLM</b>			
	Sec. 16, N½, N½S½	32	480.00
<b>Aggregating approximately 14,357.91 acres</b>			



## APPENDIX B—INTERDISCIPLINARY TEAM CHECKLIST

**Project Title:** Skull Valley Land Exchange

**NEPA Log Number:** DOI-BLM-UT-W010-2009-0026-EA

**File/Serial Number:** UTU-81900

**Project Leader:** Mike Nelson

**Determination of Staff:** (Choose one of the following abbreviated options for the left column)

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

**Table B-1. Determination of Staff**

Determi-nation	Resource	Rationale for Determination*	Signature	Date
<b>Resources and Issues Considered (Includes Supplemental Authorities Appendix 1 H-1790-1)</b>				
NI	Air Quality	No sources of air pollutant emissions would be authorized through the proposed land exchange.	/s/ Leonard Herr	11/15/11
NP	Areas of Critical Environmental Concern	The land use plan does not identify any ACEC's associated with the proposed action.	/s/ Cindy Ledbetter	11/15/11
NP	BLM Natural Areas	No natural areas designated through BLM land use planning are within the Salt Lake Field Office (SLFO) Boundaries	/s/ Cindy Ledbetter	11/15/11
PI	Cultural Resources	Fourteen archaeological sites within the selected Federal exchange parcels are eligible for nomination to the National Register of Historic Places. They would be lost from BLM Management and would not be afforded statutory protection by the BLM. BLM would acquire an area crossed by a segment of the Pony Express National Historic Trail.	/s/ Dale Earl	11/15/11
NI	Environmental Justice	Low income or minority populations would not be disproportionately affected.	/s/ Cindy Ledbetter	11/15/11
NP	Farmlands (Prime or Unique)	No irrigated or cultivated lands are included in the exchange proposal.	/s/ Michael Gates	01/08/10

Determination	Resource	Rationale for Determination*	Signature	Date
NI	Fish Habitat	No streams, lakes, or ponds are located on the proposed exchange parcels. A ditch on offered Parcel 20 provides marginal fish habitat but there are no potential future uses that would adversely affect the ditch.	/s/ Traci Allen	10/16/09
NP	Floodplains	The parcels included in the proposed exchange do not include any designated floodplains; no structures or facilities would be authorized in a floodplain as part of the exchange proposal.	/s/ Michael Gates	01/08/10
PI	Fuels/Fire Management	Acquisition of the scattered non-Federal parcels, 19 of which are completely surrounded by Federal lands, would simplify the BLM's vegetative enhancement projects and fire prevention efforts designed to protect or improve the salt desert shrub vegetative communities in this part of the Great Basin. Disposal of the Federal lands located on the west side of the small community of Terra would reduce the BLM's costs associated with fuel reduction projects designed to reduce the risk of wild land fires near Terra. Fuelbreaks created by BLM at Round Canyon and near Terra would no longer be managed by BLM but would likely be managed under agreement with the private land owner.	/s/ Teresa Rigby	10/15/09
PI	Geology/ Mineral Resources/ Energy Production	The exchange of lands would result in a net loss of acreage with prospectively valuable minerals including sand and gravel deposits.	/s/ Larry Garahana	01/07/10
PI	Invasive Species/ Noxious Weeds	BLM would acquire offered parcels on the south end of Skull Valley that are infested with Knapweed while the selected lands have invasive species but are free of noxious weeds.	/s/ Gary Kidd	10/16/09
PI	Lands/Access	This is a lands action that would change land ownership, and access. Valid existing rights would be maintained but use of the land for dispersed recreation would be affected. Therefore, impacts on lands and access are addressed in the recreation section of the EA.	/s/ Mike Nelson	3/9/10

Determination	Resource	Rationale for Determination*	Signature	Date
PI	Livestock Grazing	The Federal parcels that would be traded are scattered throughout four Federal grazing allotments. Offered parcels are in six allotments. The exchange would result in a change of BLM forage allocations in seven allotments.	/s/ Michael Gates	01/08/10
PI	Migratory Birds.	Several raptor nests including birds protected by the Migratory Bird Treaty Act (MBTA) and BLM Special Status Species (SSS) program have been monitored on the offered and selected parcels by the Raptor Inventory Nest Survey (RINS)	/s/ Traci Allen	10/16/09
NI	Native American Religious Concerns	BLM initiated consultation with the Goshute, Skull Valley Band of Goshutes, Ute, and Paiute tribes by sending letters to notify the tribes of the proposed action on December 3, 2009. To date no tribes have responded.	/s/ Dale Earl	10/15/09
NP	Paleontology	There are no known significant paleontological resources located within the lands that are being exchanged.	/s/ Larry Garahana	01/07/10
NI	Rangeland Health Standards	The components of rangeland health are addressed under the appropriate headings, eg. soil and water. Because the potential future use of the land would not change, no overall effect on range land health is anticipated.	/s/ Michael Gates	01/08/10
PI	Recreation	The selected public lands are now used for dispersed recreation by the recreating public and local citizens in Skull Valley. Public access through the selected lands would be maintained but they would be transferred to private ownership and would no long be available for dispersed recreation without landowner permission. BLM control of the offered private parcels would increase BLM's ability to provide improved recreational opportunities along the Pony Express National Historic Trail (NHT) and the Cedar Mountain Wilderness Area.	/s/ Ray Kelsey	10/22/09
NI	Socio-Economics	Land management would become more efficient with proposed project. Since the current use of the land for grazing and recreation would continue and there would be no changes in potential future uses, there would be no change in social or economic conditions at the local, regional or state levels.	/s/ Cindy Ledbetter	11/15/11

Determination	Resource	Rationale for Determination*	Signature	Date
NI	Soils	Because the current use of the land for livestock grazing and recreation would continue, and the only reasonably foreseeable future surface disturbing projects would be construction of about 8.5 miles of fence, soils would not be impacted to the extent that additional analysis is needed.	/s/ Michael Gates	01/08/10
PI	Threatened, Endangered, Candidate or Special Status Plant Species	The BLM Sensitive Plant, "Pohl's Milkvetch" occurs on 3 of the selected BLM parcels in the southern portion of the Land Exchange Area. The BLM would lose management control of this species on the exchanged lands.	/s/ Roddy Hardy	10/15/09
PI	Threatened, Endangered, Candidate or Special Status Animal Species	No listed Threatened or Endangered, or Candidate species or their critical habitats are known to occur on the selected or offered parcels proposed for exchange. Bald and golden eagles and other raptors forage in Skull Valley. Raptor nests occur on several parcels.	/s/ Traci Allen	10/15/09
NI	Wastes (hazardous or solid)	There is no evidence of hazardous substances, petroleum products, or recognized environmental conditions and/or CERCLA 120(h) concerns on the offered parcels (Environmental Site Assessment Phase I Report for offered lands, February 2011. There are no known hazardous substances, petroleum product, or recognized environmental conditions and/or CERCLA 120(h) concerns on the Selected Federal Lands. An Environmental Site Assessment Phase I Report for the selected lands would be done prior to exchange. The potential future use of the exchanged lands is continued livestock grazing and dispersed recreation. No toxic or hazardous substances or wastes would be used on the exchanged parcels. Therefore, no further analysis is needed.	/s/ Mike Nelson	11/15/11

Determination	Resource	Rationale for Determination*	Signature	Date
PI	Water Resources/ Quality (drinking/ surface/ground)	There are no floodplains, wetlands or riparian zones associated with the exchange parcels, except for a small area (< .1 acre) of riparian vegetation at Slater Spring that would be acquired by BLM. Because the present use of the lands for livestock grazing and dispersed recreation would continue, new potential point or non-point sources of water pollution are not anticipated. Therefore, there would be no impacts on water quality. The exchange would result in the acquisition of a water right (#16-10) at Slater Springs by BLM. This and 10 other water rights on the offered private lands are addressed in detail in Chapters 3 and 4 the EA.	/s/ Dylan Tucker	11/15/11
NI	Wetlands/ Riparian Zones	There are no designated floodplains, wetlands or riparian zones associated with the exchange parcels, except for a small area (< .1 acre) of riparian vegetation at Slater Spring that would be acquired by BLM. Therefore, further analysis of impacts on wetlands or riparian zones is not needed.	/s/ Michael Gates	01/08/10
NP	Wild and Scenic Rivers	No designated or eligible wild, scenic or recreational river segments are present on the exchange parcels or in the SLFO.	/s/ Ray Kelsey	10/22/09
PI	Wilderness/ WSA	Transfer of four private parcels to public ownership within and/or near the Cedar Mountain Wilderness Area (WA) would increase the BLM's ability to protect and improve wilderness characteristics including opportunities for solitude and primitive and unconfined recreation. There would be no negative impacts from proposed action. Potential beneficial impacts are addressed in Chapters 3 and 4 of the EA.	/s/ Ray Kelsey	10/22/09
PI	Wildlife Excluding USFWS Designated Species	BLM would lose management control on wildlife habitats on the selected parcels but would gain greater control of the habitats on the offered parcels.	/s/ Traci Allen	10/16/09
NP	Woodland/ Forestry	There are no timber, firewood or woodland product harvest areas on any of the proposed exchange parcels.	/s/ Verlyn Pindell	10/21/09

Determination	Resource	Rationale for Determination*	Signature	Date
NI	Vegetation Excluding USFW Designated Species	Because the current use of the land for livestock grazing and recreation would continue and the only reasonably foreseeable future surface disturbing projects would be construction of about 8.5 miles of fence, vegetation would not be directly impacted. Acquisition of the scattered non-Federal parcels, 19 of which are completely surrounded by Federal lands, would simplify the BLM's vegetative enhancement projects and fire prevention efforts designed to protect or improve the salt desert shrub vegetative communities in this part of the Great Basin. This is addressed in the Fire and Fuels section of the EA.	/s/ Michael Gates	01/08/10
NI	Visual Resources	The proposed action would not impact existing visual resources or visual resource management (VRM) as the transfer would consolidate existing private landholdings utilized for agricultural purposes and maintain the existing character of the predominant landscape. With the exception of about 8.5 miles of fence, there would be no surface disturbing projects or activities that could alter the character of the landscape.	/s/ Ray Kelsey	10/22/09
PI	Wild Horses and Burros	BLM control of acreage within the Cedar Mountain and Onaqui Herd Management Areas (HMAs) would increase with the proposed land exchange	/s/ Michael Gates	01/08/10
PI	Areas with Wilderness Characteristics*	Selected public lands identified for exchange are either not roadless, or they are adjacent to already developed agricultural lands where naturalness and outstanding opportunities for solitude and/or primitive recreation are lacking. None of the proposed exchange parcels are located in or adjacent to a citizens proposed WA. Five of the offered parcels in the Onaqui Mountains that would be transferred to BLM ownership are contiguous with an area that BLM intends to inventory for wilderness characteristics.	/s/ Ray Kelsey	09/13/11

**Table B-2. Final Review**

<b>Reviewer Title</b>	<b>Signature</b>	<b>Date</b>	<b>Comments</b>
Environmental Coordinator			
Authorized Officer			

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## APPENDIX C—PRIORITIZATION OF PARCELS FOR ELIMINATION TO EQUALIZE VALUES

Federal Lands			Non-Federal Lands		
Priority for Elimination	Parcel No.	Acres	Priority for Elimination	Parcel No.	Acres
1	17	640	1	33	2.54
2	16	640	2	34	51.28
3	15	640	3	35	19.90
4	19	37.49	4	36	15.34
5	21	120	5	37	11.92
6	20	320	6	40	640
7	27	131.83	7	21	482
8	31	63.79	8	20	640
9	32	464.29	9	19	42.85
10	35	520.09	10	2	120
11	33	560	11	4	640
12	34	503.32	11	18	640
13	22	239.93	12	1	33.74
14	1	640.96	14	7	638.79
15	2	640	15	8	320
16	3	642.72	16	9	640
17	5	240	17	10	280
18	4	401.44	18	11	640
19	6	234.92	19	12	640
20	24	320	20	13	320
21	25	320	21	14	80
22	23	320	22	15	40
23	26	400	23	16	200.38
24	7	637.34	24	17	317.04
25	8	241.35	25	6	640
26	9	602.16	26	5	80
27	10	80	27	3	96.51
28	11	80	28	22	640
29	12	600	29	23	640
30	13	600.21	30	24	640
31	14	639.76	31	25	640
32	18	77.52	32	26	640
33	28	560	33	27	640
34	29	640	34	31	640
35	30	160	35	29	480
			36	30	480
			37	39	28.27
			38	38	17.35
			39	28	120
			40	32	480

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## APPENDIX D—FEDERAL LANDS AND INTERESTS PROPOSED FOR EXCHANGE

### SKULL VALLEY LAND EXCHANGE (UTU-81900FD/PT)

Table D-1. Description of Land

Parcel Description		Parcel No.	Acres
<b>T. 3 S., R. 7 W., SLM</b>			
	Sec. 6, All	1	640.96
<b>T. 5 S., R. 7 W., SLM</b>			
	Sec. 29, All	2	640
	Sec. 30, All	3	642.72
	Sec. 31, Lots 1, 2, NE¼, E½NW¼, N½SE¼	4	401.44
	Sec. 33, SW¼, W½SE¼	5	240
<b>T. 6 S., R. 7 W., SLM</b>			
	Sec. 4, Lots 2-4, S½NW¼, N½SW¼NE¼, SW¼SW¼NE¼, E½SE¼SW¼NE¼	6	234.92
	Sec. 5, All (surface only)	7	637.34
	Sec. 6, Lots 5-7, SE¼NW¼, E½SW¼	8	241.35
	Sec. 7, Lots 1-3, E½, E½W½	9	602.16
	Sec. 10, NE¼NE¼, SE¼SE¼	10	80
	Sec. 14, SW¼NW¼, NW¼NW¼	11	80
	Sec. 15, E½, E½W½, SW¼NW¼, W½SW¼	12	600
	Sec. 18, E½, E½W½	13	480
	Sec. 18, Lots 2-4	13a	120.21
	Sec. 19, Lots 3, 4, E½, E½W½	14	560.14
	Sec. 19, Lots 1, 2	14a	79.62
	Sec. 20, All	15	640
	Sec. 21, All	16	640
	Sec. 22, All	17	640
	Sec. 30, Lots 6, 8, 9 12	18	77.52
<b>T. 2 S., R. 8 W., SLM</b>			
	Sec. 13, Lots 2, 3, 6	19	37.49
	Sec. 34, S½	20	320
	Sec. 35, N½SW¼, SW¼SW¼	21	120

Parcel Description		Parcel No.	Acres
<b>T. 3 S., R. 8 W., SLM</b>			
	Sec. 1, Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$	22	239.93
<b>T. 4 S., R. 8 W., SLM</b>			
	Sec. 10, S $\frac{1}{2}$	23	320
	Sec. 11, S $\frac{1}{2}$	24	320
	Sec. 14, N $\frac{1}{2}$	25	320
	Sec. 15, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$	26	400
<b>T. 6 S., R. 8 W., SLM</b>			
	Sec. 10, Lots 1, 4, E $\frac{1}{2}$ /SW $\frac{1}{4}$	27	131.83
	Sec. 12, N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$	28	560
	Sec. 13, All	29	640
	Sec. 14, E $\frac{1}{2}$ E $\frac{1}{2}$	30	160
	Sec. 15, Lot 1, NE $\frac{1}{4}$ N $\frac{1}{4}$	31	63.79
	Sec. 22, Lots 1, 4, 5, 8, W $\frac{1}{2}$ E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$	32	464.29
	Sec. 24, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$	33	440
	Sec. 24, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$	33a	120
	Sec. 25, Lots 2, 3, 5, NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$	34	503.32
	Sec. 27, Lots 1, 4, 5, 8, E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$	35	520.09
<b>Total</b>		<b>13959.11 Acres</b>	

Note: Those parcels abutting state highways will be surveyed to the edge of the highway easement or right-of-way. The parcel descriptions and acreages may change slightly to conform to the survey.

**Interests to be Conveyed or Reserved:** Conveyance of the Federal land would include the surface and mineral estate of all parcels except for parcel #7. This parcel was reconveyed to the United States with a reservation of all minerals to the State of Utah. There is no water, timber, or other rights associated with the property.

All parcels would be conveyed with a reservation to the United States for a right-of-way thereon for ditches or canals constructed by the authority of the United States under the Act of August 30, 1890 (43 U.S.C. 945).

Parcels 1, 2, 3, 5, and 6 would be conveyed with a reservation to the United States for the following rights-of-way:

**Table D-2. Interests to be Conveyed or Reserved**

Parcel #	Right-of-Way	Serial #	Holder
1,3	44 LD 513 Access Road	UTU-18471	US Forest Service
2,5,6	44 LD 513 Access Road	UTU-23300	US Forest Service

**Existing Encumbrances\*:** The applicable parcels would be conveyed subject to existing right-of-way of record, including the following:

**Table D-3. Existing Encumbrances**

Parcel #	Right-of-Way	Serial #	Holder
5,6	Irrigation Pipeline	UTU-21911	Castle Rock Land & Livestock
9,28	Powerline	UTU-46101	Rocky Mountain Power Co
9,34	Telephone Line	UTU-51503	Beehive Telephone Company
10,16,17	Water Pipeline	UTU-80753	Castle Rock Land & Livestock
13,14,33,34	Telephone Line	UTU-70323	Beehive Telephone Co
14,15,18,34	Powerline	UTU-64758	Rocky Mountain Power Co
14,15,18,34	Powerline	UTU-02933	Rocky Mountain Power Co
19,21,27,31,32,35	Powerline	UTU-63224	Rocky Mountain Power Co
20	Irrigation Ditch	UTSL-07348	Skull Valley Corporation
20	Irrigation Ditch	UTSL-07349	Skull Valley Corporation
23,26	Powerline	UTU-46101	Rocky Mountain Power Co
27,31,32,35	Telephone Line	UTU-30328	Beehive Telephone Company
27,31,32,35	Fiber Optic Line	UTU-80434	Skyline Telephone Company
28	Access Road	UTU-51494	Neil J. Wold
13	Water Right 16-738		Dennis Andrus

\*Consistent with current policy, right-of-way holders would be given the opportunity to amend their authorizations for conversion to a perpetual term or to an easement prior to completion of the exchange.

The following rights-of-way (or portions thereof) are held or controlled<sup>1</sup> by the non-Federal parties and will be relinquished prior to conveyance of the Federal land:

**Table D-4. Parcels with Non-Federal Rights-of-Way**

Right-of-Way	Serial #	Holder	Parcel #
Irrigation Pipeline	UTU-21911	Castle Rock Land & Livestock	5,6
Water Pipeline	UTU-80753	Castle Rock Land & Livestock	10,16,17
Irrigation Ditch	UTSL-07348	Skull Valley Corporation	20
Irrigation Ditch	UTSL-07349	Skull Valley Corporation	20

The parcels noted below are within Federal grazing allotments. Skull Valley Company, and Castle Rock Land and Livestock are expected to waive their 2-year notification required under 43 CFR 4110.4-2, so the respective parcels could be conveyed unencumbered. Cory Brown's interest would be unaffected. If waivers are not obtained, the applicable parcels would be

<sup>1</sup> Castle Rock Land and Livestock is wholly owned by CFR-CR L.C., AJR L.C., and VAR L.C.

conveyed subject to the grazing permits, unless conveyance occurs following the two-year notification period, which would be initiated with publication of the Notice of Exchange Proposal.

**Table D-5. Parcels within Federal Grazing Allotments**

Parcel #	Allotment	Permittee
1,19,20,21,22	Salt Mountain	Skull Valley Company/Cory Brown
23,24,25,26	Lost Creek	Castle Rock Land and Livestock
2-10,12-18,28-35	South Skull Valley	Dennis Andrus
11	Onaqui Mtn West	Castle Rock Land and Livestock

The following parcels are encumbered with mining claims held by Castle Rock Land and Livestock. All of the claims would be relinquished prior to conveyance of the lands.

**Table D-6. Parcels Encumbered with Mining Claims**

Parcel #	Mining Claims	UMC #	Claimant
13	Diatomics #1	362247	Castle Rock Land and Livestock
13	Diatomics #2	362248	Castle Rock Land and Livestock
13, 13a	Diatomics #3	362249	Castle Rock Land and Livestock
9	Diatomics #4	362250	Castle Rock Land and Livestock
9	Diatomics #5	362251	Castle Rock Land and Livestock
9	Diatomics #6	362252	Castle Rock Land and Livestock
9	Diatomics #7	362253	Castle Rock Land and Livestock
8	Diatomics #8	364711	Castle Rock Land and Livestock

The community sand and gravel pit UTU-75275 encompasses parcel #19. The pit boundary would be modified by the BLM to exclude parcel #19 prior to completion of the exchange.

## **APPENDIX E—STATE HISTORIC PRESERVATION OFFICE CONSULTATION AND CULTURAL RESOURCE MITIGATION PLAN**

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The 18 cultural resource sites identified as eligible for listing on the NRHP that are located on lands to be transferred from the BLM to the non-Federal parties have been recorded, and their eligibility determined in consultation with SHPO. Appropriate mitigation measures will be specified in a Cultural Resource Mitigation Plan that will be developed and carried out by BLM and the non-Federal parties in consultation with the SHPO and interested parties.

BLM has met with the Utah SHPO and the required mitigation plan is subject to review and approval by the SHPO. Mitigation would take place prior to execution of the Exchange and could include such measures as photo-documentation of historic roads, trails and corrals, and test pits and data recovery on historic and prehistoric camps and lithic scatters or elimination of selected Federal parcels from the exchange.


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## APPENDIX F—U.S. FISH AND WILDLIFE SERVICE COORDINATION

RECEIVED SLFO

United States Department of the Interior  
FISH AND WILDLIFE SERVICE  
USDI - SALT LAKE FIELD OFFICE  
2369 WEST ORTON CIRCLE, SUITE 50  
WEST VALLEY CITY, UTAH 84119



In Reply Refer To:  
FWS/R6  
ES/UT  
12-TA-0152

April 12, 2012 *Bruce*

To: Field Office Manager, Bureau of Land Management, Salt Lake Field Office, West Valley City, Utah

From: Field Supervisor, Fish and Wildlife Service, Ecological Services, Utah Field Office, West Valley City, Utah

Subject: Conclusion of Section 7 Consultation for the Skull Valley Utah Land Exchange

We received your request for consultation for the Skull Valley Utah Land Exchange in our office on March 20, 2012. We are not aware of any federally listed species that occur within your proposed land exchange. However, Pohl's milkvetch (*Astragalus lentiginosus* var. *pohlii*), a BLM sensitive species, occurs on land you are proposing to exchange. This variety was named in 1982 and was only known to occur in two locations in Rush Valley. In 2009, the Utah Native Plant Society prioritized *Astragalus lentiginosus* var. *pohlii* as Extremely High to focus conservation efforts citing that the populations are small, less than 20-30 per site, and the type locality population was nearly extinct due to farming and road disturbance. At the type locality, only 5 individuals were found in 2008. In 2010, your office searched three areas where *Astragalus lentiginosus* var. *pohlii* were previously known to occur on parcels you are considering to exchange. Milkvetch were only found at one of the locations.

The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) is the primary Federal law governing most land uses on BLM lands and provides protection for *Astragalus lentiginosus* var. *pohlii* on BLM lands. Section 102(a)(8) of the Federal Land Policy and Management Act states public lands will be managed, in part, to provide protection to ecological and environmental resources. The Special Status Species Management Policy Manual #6840 directs BLM to manage habitat for sensitive species in a manner that will ensure that all actions authorized, funded, or carried out by the BLM do not contribute to the need for the species to become listed (BLM 2008c). Typically, this means the impacts to these species are considered during project planning stages and conservation measures may be included at the discretion of agency biologists.

Given the localized distribution of this species, we recommend that BLM consider retaining lands that contain occupied and suitable habitats for *Astragalus lentiginosus* var. *pohlii* or until

you have completed an analysis to show the areas you are proposing to exchange are not needed for the long term viability of the species.

If further assistance is needed, or if you would like to discuss this matter further, please contact Bekee Hotze of our office at (801)975-3330 extension 146.

Sincerely,



Larry Crist  
Utah Field Supervisor

cc: Justin, Listing Coordinator  
Ron Bolander, BLM

## APPENDIX G—NOTICE OF EXCHANGE PROPOSAL MAILING LIST

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Utah Cattlemen's Association  
c/o Brent Tanner, Executive V.P.  
150 South 600 East #10-B  
Salt Lake City, UT 84102

USDI – Fish & Wildlife Service  
Utah Field Office  
c/o Larry Crist  
2369 West Orton Circle, Suite 50  
West Valley City, UT 84119

State of Utah  
Division of Wildlife Resources  
P.O. 146301  
Salt Lake City, Utah 84114-6301

Southern Utah Wilderness Alliance  
c/o David Garbett  
425 East 100 South  
Salt Lake City, UT 84111

The Honorable Robert Bennett  
United States Senate  
4225 Bennett Federal Building  
Salt Lake City Ut 84117

U. S. Air Force  
Christopher S. Martin, Lt Col.  
388th Rans/Ado  
Hill Air Force Base Ut 84056

Utah Division Of Water Rights  
C/O Kent L. Jones  
1594 West North Temple Suite 220  
Box 146300  
Salt Lake City Ut 84154-6300

Utah Public Lands Coordination Office  
P O Box 141107  
Salt Lake City Ut 84114-1107

Utah Division Of Oil Gas & Mining

Wild Utah Project  
c/o James Catlin  
68 S. Main Street, Suite 400  
Salt Lake City, Utah 84101

Utah Woolgrowers Association  
c/o Reed Balls  
9187 S. Edenbrooke Way  
West Jordan, UT 84088

Tooele County Commission  
Colleen S. Johnson, Chair  
47 South Main, Room 210  
Tooele, UT 84074

The Honorable Orrin Hatch  
United States Senate  
Federal Building, Room 8402  
Salt Lake City Ut 84138

The Honorable Rob Bishop  
Ogden Office  
324 25th Street Suite 1017  
Ogden Ut 84401

Governor  
The Honorable Gary Herbert  
State Of Utah  
210 State Capitol  
Salt Lake City Ut 84114

School & Institutional Trust Lands  
Administration (SITLA)  
675 East 500 South Suite 500  
Salt Lake City Ut 84102

Utah Department Of Transportation  
4501 South 2700 West  
Salt Lake City Ut 84119

Office Of The State Planning

1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City Ut 84114-5801

Skull Valley Company  
C/O Paul L. Freed  
Po Box 540478  
North Salt Lake, Ut 84054-0478

Richins Brothers Livestock  
P.O. Box 188  
Henefer, Ut 84033

Rocky Mountain Power Co.  
1407 W. North Temple #110  
Salt Lake City, Utah 84116

Skyline Telecom Co.  
P.O. Box 7  
Fairview, UT 84629

Ajr, L.C., Cfr-Cr, L.C., And Var, L.C.  
C/O Christopher F. Robinson  
Po Box 540478  
North Salt Lake, Ut 84054-0478

Orr's Ranch, LLC  
c/o Rusty Andrus  
2464 West 3995 South  
West Valley, UT 84119

Rupert Steele  
Confederated Tribes of the Goshute  
Reservation  
PO Box 6104  
Ibapah, UT 84034

Curtis Cesspooch  
The Ute Indian Tribe  
PO Box 190  
Ft. Duchesne, UT 84026

Blaine or Jessie Johnson  
P.O. Box 1084  
Grantsville, UT 84029

Coordinator  
Resource Development Coord. Committee  
116 State Capitol Bldg  
Salt Lake City Ut 84124

Browns Diamond J  
220 West Clark  
Grantsville, Ut 84029

Neil & Maureen Wold  
P.O. Box 546  
Dugway, Ut 84022

Beehive Telephone Co.  
2000 Sunset Drive  
Lake Point, Utah 84074

Qwest Corp  
700 W. Mineral Ave.  
Littleton, CO 80120

U.S. Forest Service  
Wasatch, Cache, Uinta N.F.  
Supervisor's Office  
Federal Bldg. Room 8103  
Salt Lake City, Utah 84138

Bruce Parry  
Northwestern Band of Shoshone Nation  
707 N Main St  
Brigham City, UT 84032

Lawrence Bear  
Band of the Skull Valley Goshute Indians  
1198 North Main  
Tooele, UT 84074

Jeanine Borchardt  
Paiute Indian Tribe of Utah  
440 N Paiute Drive  
Cedar City, UT 84720

Terra Volunteer Fire Department  
8300 W Park Street  
Terra, UT 84022

# MAPS

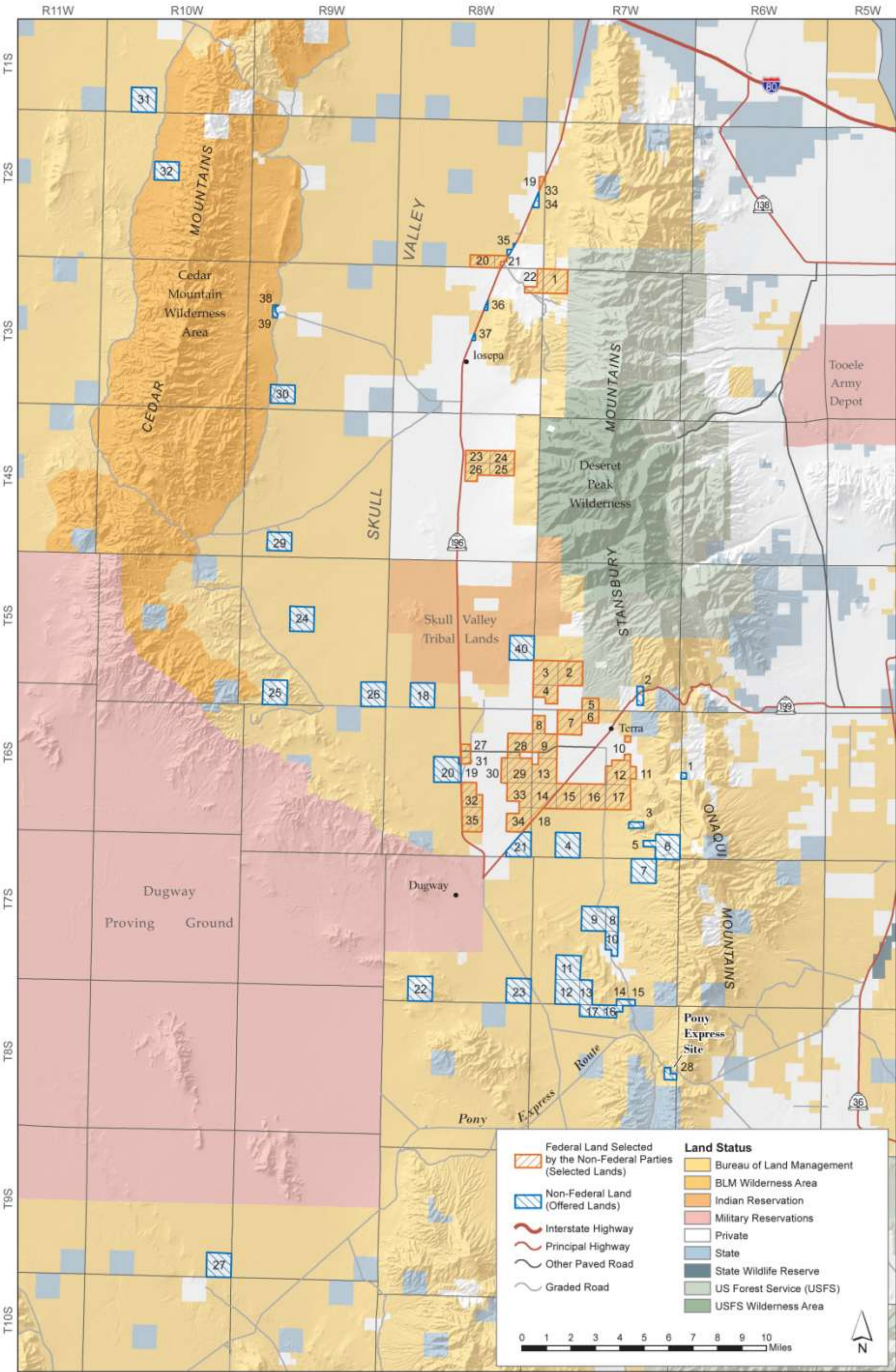






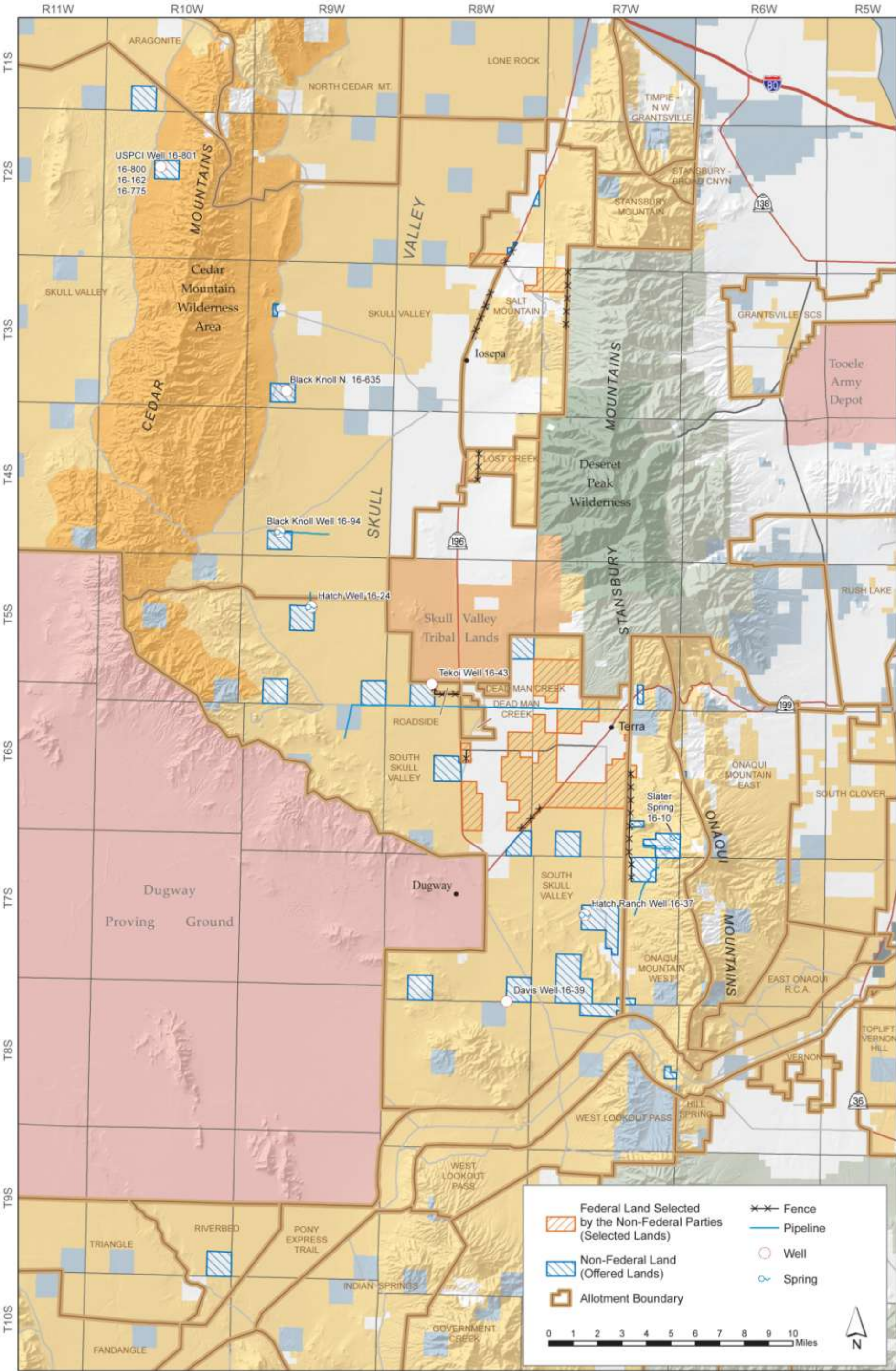


Map 1. Exchange Parcels Base Map



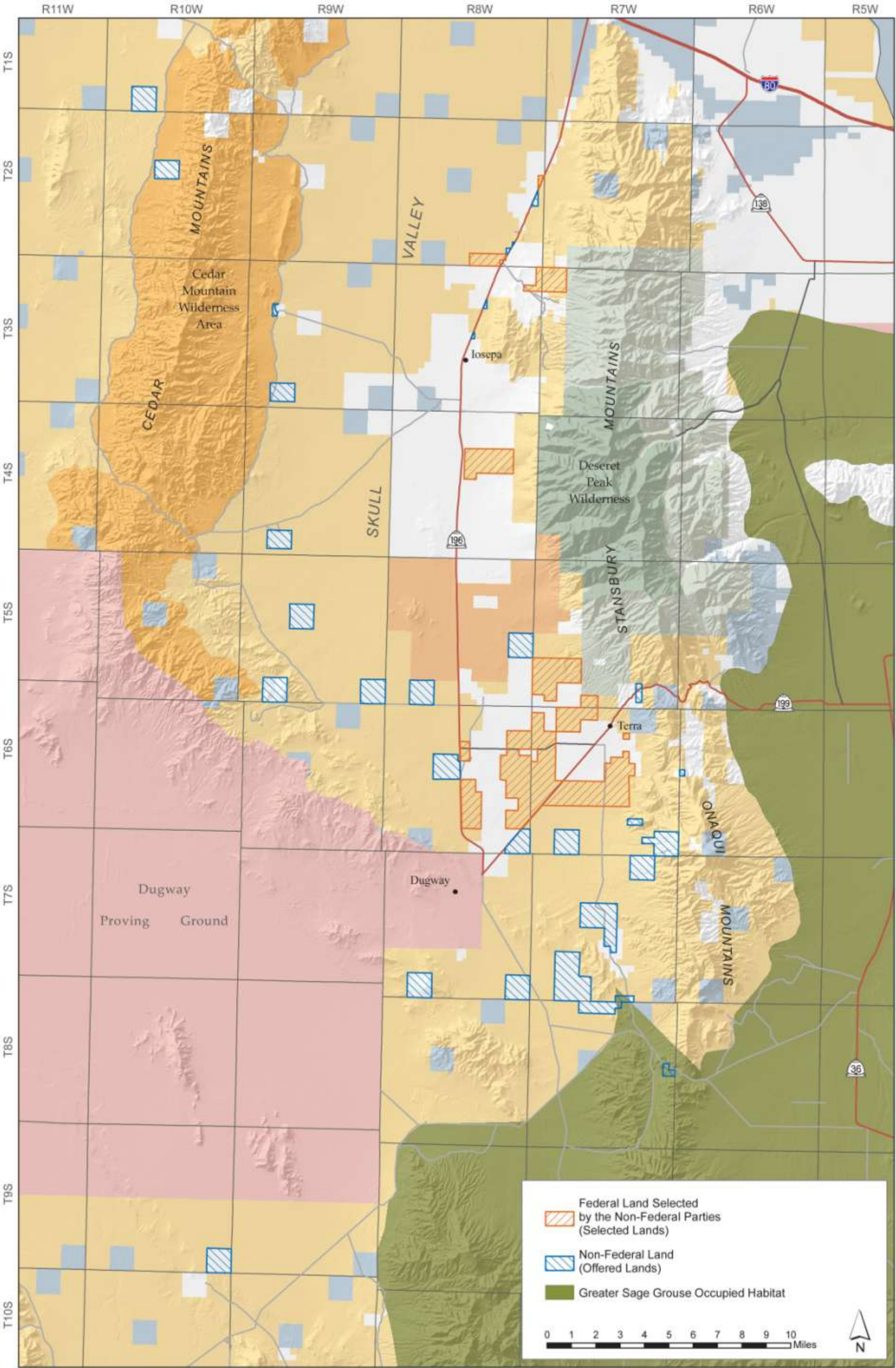


Map 2. Livestock Grazing Allotments and Water Resources



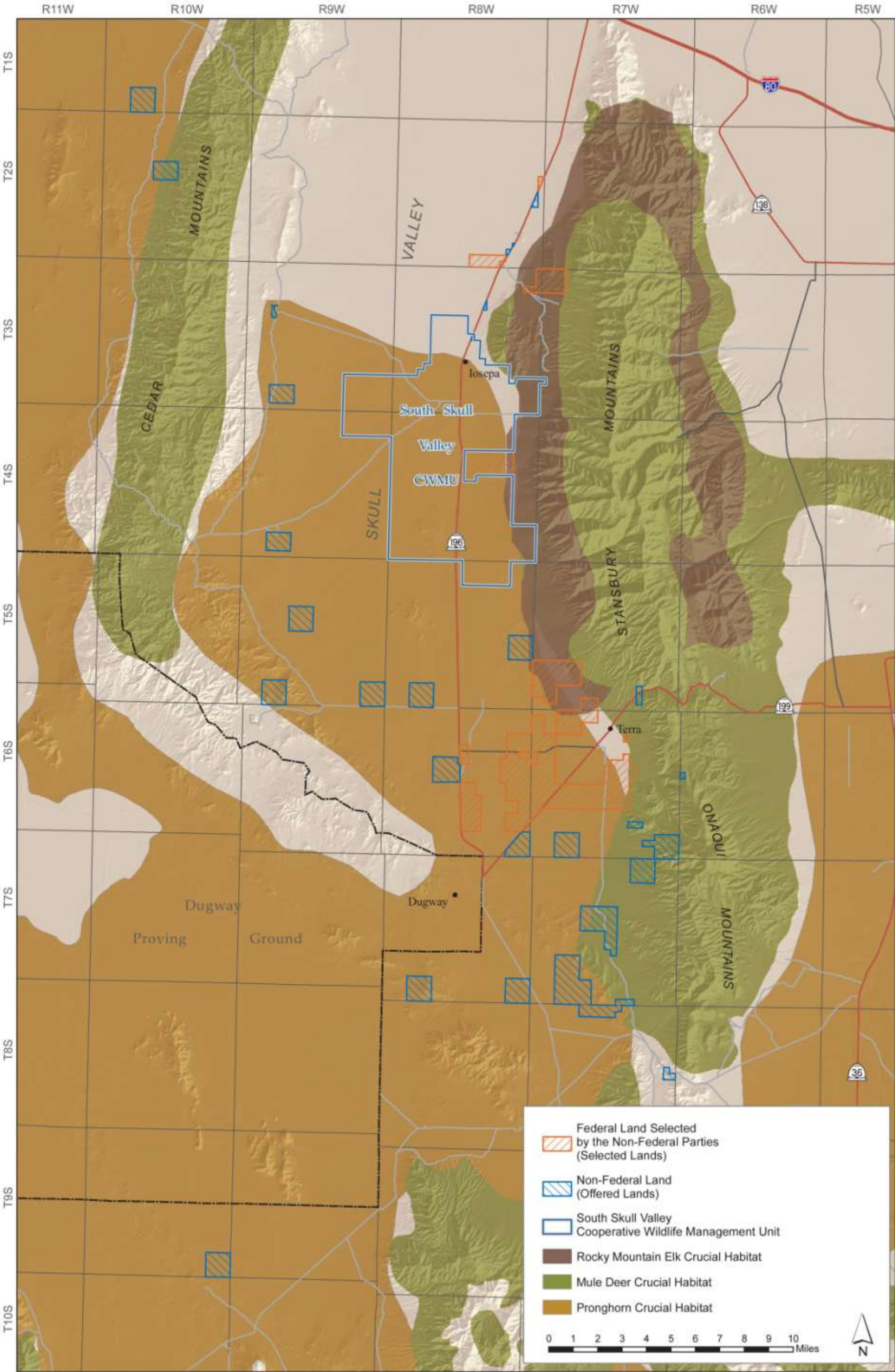


Map 3. Greater Sage-Grouse Occupied Habitat





Map 4. Big Game Habitats and Cooperative Wildlife Management Unit





Map 5. Wild Horse Herd Management Areas

